

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2857 of 2020**

Shrikant Kamalsen S/o Gangaram Kamalsen Aged About 21 Years R/o Madanpur, Police Station- Ratanpur, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Ratanpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Nitansh Kumar Jaiswal, Advocate.
For the Respondent/State : Shri Sudeep Agrawal, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.06.2020**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.306 of 2020, registered at Police Station – Ratanpur, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 354 and 506 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 7.5.2020 and has been falsely implicated in this case. The applicant has not committed any offence. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that it is a case of prompt lodging of FIR and also the statement given by the prosecutrix clearly supports the prosecution case. Hence, no case is made out for grant of regular bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. As per the prosecution case, on the date of incident when the prosecutrix had been to take bath in the village pond then the applicant caught hold and outraged her modesty.

6. Considering the facts and circumstances of the case, I am of this view that it would be proper to release the applicant on regular bail during the pendency of the trial, hence, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge