

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3893 of 2020**

- Dushyant Chakresh S/o Mahaveer Chakresh Aged About 30 Years Caste - Kumhar, R/o Village Harradand, Police Station Kunkuri, District Jashpur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station, Kunkuri, District Jashpur Chhattisgarh

---- Respondent

For Applicant	:	Shri Anil Gulati, Advocate
For State	:	Shri Ravish Verma, Govt. Adv.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****16/09/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.36/2020 registered at Police Station – Kunkuri, District – Jashpur (C.G.) for alleged commission of offences under Section 354 of IPC and Section 7, 8 of the Protection of Children from Sexual Offences Act, 2012
2. Prosecution case is that the applicant outraged modesty of the prosecutrix, a minor aged about 12-13 years.
3. Learned counsel for the applicant would argue that the allegations against the applicant are exaggerated and he has not committed the said offence of outraging modesty. He would next submit that in the present case, investigation is complete, charge sheet has been filed and the applicant is in jail since 03/06/2020. Therefore, at this stage, he may be granted bail.
4. On the other hand, learned State counsel opposes bail application and submits that from the statement of prosecutrix who is a minor, it is clear that the

applicant outraged her modesty.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature of alleged overt act and further that investigation is complete, charge sheet has been filed, applicant is in jail since 03/06/2020 and the maximum sentence for the alleged commission of offence, I am inclined to grant bail to the applicant.

6. Accordingly, the application is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the Trial Court on the condition that -

- a) He shall appear before the Trial Court regularly on each and every date, unless exempted from appearance.
- b) He shall not make any attempt to tamper with the prosecution witnesses.

In case, the applicant, is in any manner attempts to approach the prosecutrix or indulge in any kind of physical violence, teasing or harassment, it would be open for the State and / or the prosecutrix to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge