

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4355 of 2020**

Kamil Minj S/o Jogi Minj Aged About 60 Years R/o Village Taragarh,
Ranikhar P.S. And Tahsil- Lailunga, Distt. Raigarh, Civil And Revenue
District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Officer-In-Charge Police Station- Lailunga,
District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Ashutosh Mishra, Advocate.
For the Respondent/State : Shri Adil Minhaj, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.07.2020**

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.104 of 2020, registered at Police Station – Lailunga, District – Raigarh, Chhattisgarh for the offence punishable under Sections 456 and 354 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 19.5.2020 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 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 there is clear and categoric statement of the victim against the applicant. Hence, no case is made out for grant of bail to the applicant.

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

5. As per the prosecution case, it is alleged that the minor victim of age below 15 years was in the Quarantine Centre when this applicant who happens to be a panch of the Panchayat entered into the Quarantine Centre and molested the minor victim by use of physical force. Hence, this case.

6. Considering the fact that the investigation is now complete, the charge-sheet has been filed and there is no likelihood that the trial will be completed soon, therefore, 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

Nimmi