

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4621 of 2020

- Santu @ Santosh Reddy S/o Late Appal Reddy, Aged About 26 Years, R/o Telugu Muhalla, Near Kushtha Ashram, Gali No.2, Goutam Nagar, Khursipar, P.S. Khursipar, Bhilai, District- Durg, (C.G.), District : Durg, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Khursipar, District- Durg, (C.G.), District : Durg, Chhattisgarh

----Non-applicant

For Applicant – Shri P. Chetan Kumar, Advocate.

For Non-applicant/State – Shri Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

07-08-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 16-01-2020 in connection with Crime No.44/2020 registered at Police Station - Khursipar, District- Durg, Chhattisgarh for the offence under Section 456 & 354 of the IPC and Section 8 of Protection of Children from Sexual Offences Act.
2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case because of enmity. The applicant is in jail since 16-01-2020. Charge sheet has been filed. Therefore, it is prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the documents.
5. According to the prosecution case, it is alleged that this applicant committed lurking house trespass in the house of the prosecutrix and then he

outraged her modesty by use of physical force.

6. Considered on the submissions and the facts of the case and considering that the charge sheet has now been filed and the case is pending for trial, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby 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/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge