

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4828 of 2020**

Ayush Dodwani S/o Shri Harish Kumar Dodwani Aged About 18 Years R/o -
Green Park Colony, District - Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station - Khamardih, District - Raipur
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sanjay Agrawal, Advocate.
For the Respondent/State	:	Shri D.P. Singh, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****26.08.2020**

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.86 of 2020, registered at Police Station – Khamardih, District – Raipur, Chhattisgarh for the offence punishable under Section 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 has been falsely implicated in this case. It is submitted that the applicant and the victim both were good friends but because of some dispute, false FIR has been lodged making false allegations against the applicant. The applicant is only 18 years of age and he is in jail since 8.7.2020. 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 the statement given by the prosecutrix under Section 164 of the Cr.P.C. before the Magistrate is totally against the applicant. Hence, the applicant is not entitled for grant of bail.

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

5. According to the prosecution case, it is alleged that this applicant had friendship with the victim, however, on the date of incident by finding her alone, the applicant used physical force to outrage her modesty and made obscene video. Subsequent to that, the applicant also threatened the minor victim to make the same viral in the social media. Hence, this case.

6. As the investigation in this case is nearly to complete and no purpose would be served if the applicant is kept in detention for the whole period of trial, therefore, I feel inclined to grant regular bail to the applicant in the 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