

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5057 of 2020**

- Chunendra Patel S/o Arjun Patel, Aged About 22 Years R/o Village Patelpara, Bagoud, Police Station And Tahsil Kurud, District - Dhamtari Chhattisgarh

---- Appellant**Versus**

- State Of Chhattisgarh Through - Station House Officer, Police Of Police Station Kurud, District – Dhamtari, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Anil Gulati, Advocate.
For State	:	Mr. Ravish Verma, G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****08/10/2020**

Heard.

1. The applicant has moved this application for grant of bail as he is arrested in connection with Crime No.253/2020 registered at Police Station- Kurud, District - Dhamtari, C.G. for the alleged commission of offence under Sections 294, 323, 354 and 427 of IPC and Section 8 of POCSO Act.
2. Prosecution case is that the applicant, in intoxicated condition, caught hold of the prosecutrix with intention to outrage her modesty and later on, broken her mobile.
3. Learned counsel for the applicant would argue that the allegation of prosecutrix against the applicant is exaggerated. He was in intoxicated condition but he has no intention to outrage her modesty. His next submission is that investigation is complete, charge sheet has been filed and the applicant is in jail since 01.05.2020, therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned State Counsel opposes and submits that on the face of the statement of the prosecutrix, who is barely 13 years of age, prima facie, a case is made out. The applicant, who was in intoxicated condition,

caught hold of the prosecutrix with intention to outrage her modesty.

5. Taking into consideration the submissions of learned counsel for the parties, nature and extent of overt act alleged against the applicant and when investigation is complete, charge sheet has been filed and that the applicant is in jail since 01.05.2020, I am inclined to grant bail to the applicant.
6. Accordingly, the bail 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 of 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 in any manner, tamper with the prosecution witnesses.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge