

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5349 of 2020**

- Hanshraj Ghritlahre S/o Shri Harishchandra Ghritlahre Aged About 19 Years Resident Of Village Pausari Chouki Chandnu, Thana Nandghat, Tahsil And District Bemetara Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Bemetara District Bemetara Chhattisgarh

---- Respondent

For Applicant	:	Shri R.S. Patel, Advocate
For State	:	Shri Gagan Tiwari, Dy. Govt. Adv.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****01/10/2020**

Heard.

1. The applicant has been arrested in connection with Crime No.334/2019 registered at Police Station – Bemetara, Distt. - Bemetara (C.G.) for alleged commission of offences under Section 354/34 of IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Prosecution case is that the applicant and other co-accused outraged the modesty of the prosecutrix by snatching away her scarf and removing clothes.
3. Learned counsel for the applicant would argue that the applicant has been falsely implicated. He has not committed any offence. Even according to the prosecution, it is the co-accused who was riding the motor cycle and snatched the scarf and present applicant was only sitting in the vehicle and was later on caught. It is also submitted that the other two accused have been granted bail by this Court in MCrC No.5574/2019 and MCrC No.5613/2019 filed as annexure A/3.

4. On the other hand, learned State counsel opposes prayer and submits that in view of the statement under Section 164 CrPC given by the prosecutrix, a *prima facie* case is made out as the prosecutrix was a minor.

5. Taking into consideration the submission of learned counsel for the parties, nature and extent of criminal overt act alleged and role of the applicant and further that the two co-accused have been granted bail by this Court, 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 solvent surety for the like amount to the satisfaction of the Trial Court on the condition for his appearance before the said Court as and when directed.

Certified copy as per rules.

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