

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5329 of 2020

Karan Das Manikpuri S/o Manthir Das Manikpuri Aged About 19 Years
R/o- Vinobabhave Nagar, Chhuiyapara Khushalpur, Raipur, Police
Station- Purani Basti Raipur, District Raipur, Chhattisgarh ---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Purani Basti Raipur, District Raipur, Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Rahim Ubwani, Advocate
For Respondent/State	:	Shri Ravish Verma, Dy. G.A.
For Informant/Objector	:	Shri Mayank Chandrakar, Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

29/10/2020

Heard.

1. The applicant has been arrested in connection with Crime No.198 of 2020 registered at Police Station- Purani Basti, Raipur, District Raipur (CG) for the alleged commission of offence under Section 354, 456, 506 of IPC and Section 8 of POCSO Act.
2. Prosecution case is that the applicant entered the house of the prosecutrix in the night and outraged her modesty by pressing her breast and touching other parts of the body.
3. Learned counsel for the applicant would submit that the allegations are false. He would submit that because of some misunderstanding, false report has been lodged and this has been stated in the affidavit filed by the mother of the prosecutrix. He would submit that in the circumstances, looking to the nature of overt act and also the maximum punishment which could be imposed, the applicant, at this stage, may be granted bail.

4. On the other hand, learned counsel for the State opposes the prayer and submits that from 164 Cr.P.C. statement of the prosecutrix, who is about 15 years of age, a prima facie case is made out.
5. Learned counsel appearing for the Informant has serious objection to grant of bail.
6. Taking into consideration the submission of learned counsel for the parties, at this stage, no case is made out for grant of bail. However, in case, trial does not commence within three months, the applicant would be at liberty to revive the application for grant of bail. The bail application is therefore rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge