

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.5649 of 2020

Suresh Goyal @ Pinto S/o Bhushan Goyal Aged About 19 Years R/o Village Kalle Chowki Birjher, Police Station Kurud, District Dhamtari Chhattisgarh.,
---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Chowki Birjher, Police Station Kurud, District Dhamtari Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Sanjeev Kumar Sahu, Advocate
For Respondent/State	:	Shri Ravish Verma, G.A.

S.B. 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.411 of 2020 registered at Police Station-Chowki Birjher, PS Kurud, District Dhamtari (CG) for the alleged commission of offence under Section 354 of IPC and Section 7 & 8 of Protection of Children from Sexual Offences Act, 2012.
2. Prosecution case is that the applicant entered the house of the prosecutrix, caught hold of her wrist and insisted the prosecutrix to accept him as her lover despite resistance offered by her.
3. Learned counsel for the applicant would submit that the prosecution story is exaggerated. He would submit that all that he has stated regarding his feeling that he loved the prosecutrix and except that, he has not done anything. He would further submit that investigation is complete, charge-sheet has been filed, therefore, at this stage, the applicant may be granted bail.
4. On the other hand, learned counsel for the State opposing the prayer would submit that according to prosecutrix statement under Section 164 Cr.P.C., the applicant entered the house of the prosecutrix, caught hold of her wrist and insisted that she should accept his love despite resistance offered by the

prosecutrix. Therefore, prima facie case is made out.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature and extent of criminal overt act alleged against the applicant which appears to be catching hold of prosecutrix's wrist and no further act towards outraging modesty, at this stage, I am inclined to grant bail to the applicant when investigation is complete, charge-sheet has also been filed, the application is allowed.
6. 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 for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge