

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.6107 of 2020

Prahlad Meravi S/o Chootelal Meravi Aged About 22 Years R/o Motinpur,
Police Station Rengakhar, District Kabirdham, Chhattisgarh ---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Rengakhar, District Kabirdham, Chhattisgarh ---- **Respondent**

For Applicant	:	Shri Ajay Ayachi, Advocate
For Respondent/State	:	Shri Ravish Verma, G.A.

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

Order On Board

06/10/2020

Heard.

1. The applicant has been arrested in connection with Crime No.27 of 2020 registered at Police Station- Rengakhar (CG) for the alleged commission of offence under Section 363, 354 of IPC and Section 7 & 8 of POCSO.
2. Case of the prosecution is that the applicant caught hold of the prosecutrix by her wrist and she was dragged towards agriculture field where, it is alleged that the applicant touched the breast with intention to outrage modesty.
3. Learned counsel for the applicant would submit that the allegations against the applicant are false, fabricated and there was no intention to outrage modesty of the prosecutrix. He would next submit that the applicant is in jail since 11.07.2020 and investigation is complete and charge-sheet has also been filed, therefore, at this stage, applicant may be granted bail.
4. On the other hand, learned counsel for the State opposes the bail application and submits that the prosecutrix, who is a minor, aged about 13 years, has clearly stated that the applicant caught hold of the prosecutrix by her wrist and outraged her modesty by touching breast of the prosecutrix.
5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the nature and extent of overt act of outraging modesty and further taking into consideration that the investigation

is complete, charge-sheet has been filed and the applicant is in jail since 11.07.2020, present is a fit case for grant of bail to the applicant. The bail 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.

(iii) The bail is being granted to the applicant on the specific condition that in future if the prosecutrix levels any allegation of applicant contacting her or threatening her, it would be open for the prosecutrix and the State to apply for cancellation of bail.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge