

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6283 of 2020

Bhola Singh @ Tripurari Singh, S/o Shri Haushram, Aged About 21 Years, R/o Village Patna, Gauntiyapara, Police Station: Ramanujnagar, District- Surajpur (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through: Police Station: Ramanujnagar, District- Surajpur (C.G.)

--- Respondent

For Applicant : Mr. Pushpendra Kumar Patel, Adv.

For State/ Respondent : Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

05/10/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 164/2019, registered at Police Station- Ramanujganj, District- Surajpur (C.G.) for the offence punishable under Section 354/34 of IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 25.10.2020 and has been falsely implicated in this case. Hence, it is prayed that this applicant be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail

application submitting that the prosecutrix has given very clear statement against the applicant regarding commission of offence by him, therefore, he is not entitled for grant of bail. Hence, the application for grant of bail may be rejected.

4. Heard counsel for both the parties and perused the records.
5. As per case of the prosecution, it is alleged that on the date of incident, this applicant by using physical force, outraged modesty of the minor victim, regarding which, FIR has been lodged.
6. Considering that the applicant is in jail since about more than one month and there is likelihood of delay in conclusion of investigation as well as the trial, therefore, I am of the view that it would be proper to release the applicant on regular bail. Hence, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy, as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge