

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 7037 of 2020**

Dipak Tandan S/o Dilharan Tandan Aged About 28 Years Permanent R/o Village Tundari, P. S. Bilaigarh, District Baloda Bazar, Chhattisgarh Present R/o Sejbahar, Housing Board Colony, P. S. Mujgahan, Raipur Tehsil And District Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through The Police Station Mujgahan, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh.

**---- Respondent**


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For the Applicant : Shri Raza Ali, Advocate.  
For the Respondent/State : Shri B.P. Banjare, Dy. G.A.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****19.11.2020**

Heard.

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.148 of 2020, registered at Police Station – Mujgahan, District – Raipur, Chhattisgarh for the offence punishable under Sections 354 and 354-b and 452 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 8.9.2020 and has been falsely implicated in this case by lodging of false FIR because of previous enmity. The case has been investigated and charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail during the pendency of trial.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. The prosecutrix/ complainant is present before this virtual Court through the Help-Desk of DLSA, Raipur. She made a statement that she has objection in grant of bail to the applicant.

5. Heard counsel for both the parties and perused the case diary.

6. As per the prosecution case, it is alleged that on the date of incident this applicant forced his entry into the house of the minor victim and then by use of physical force outraged her modesty.

7. Considered the submissions and the facts present in this case. As the investigation in this case is complete and the trial of the case is likely to take some time for its final disposal, therefore, I feel inclined to grant regular bail to the applicant.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge

Nimmi