

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7418 of 2020

- Anand Verma S/o Tiku Verma, Aged About 45 Years, Resident of Behind of Shiv Mandir, Nayatalab, Kota, Raipur, Police Station Saraswati Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh, through Station House Officer, Police Station Saraswati Nagar, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri C.R. Sahu, Advocate.

For Non-applicant/State – Shri Gurudev I. Sharan, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-12-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 26-08-2020 in connection with Crime No.105/2020 registered at Police Station – Saraswati Nagar, District Raipur, Chhattisgarh for the offence under Section 354 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. False FIR has been lodged because of enmity with the complainant side. The allegations in the FIR against the applicant are totally false. The applicant is in jail since 26-08-2020. Charge sheet has already been filed. Therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the statement of the minor victim of age 12 years is clearly against the applicant regarding commission of offence by him. Therefore, no case is made out for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, on the date of incident the applicant called the minor victim of age 12 years to his house and then by physically touching her body he outraged her modesty, regarding which the FIR has been lodged.

6. Considered on the submissions and facts of the case. As at present the case against the applicant is pending for trial before the trial Court and there appears to be no specific reason to keep the applicant in continuous detention, therefore, I feel inclined to allow this application.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge