

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7499 of 2020**

Tejram Yadav S/o Lakhani Lal Yadav, Aged About 40 Years R/o In Front Of
Saraswati School, Rajkishore Nagar, Police Station - Sarkanda, Tahsil And
District - Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through The Station House Officer Police Station
Sarkanda, District - Bilaspur Chhattisgarh.

---- Respondent

For the Applicant : Shri Atanu Ghosh, Advocate.
For the Respondent/State : Shri G.S. Patel, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.12.2020**

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.911 of 2020, registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 354, 354(A), 354(B) and 506 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 5.10.2020 and has been falsely implicated in this case because of the family dispute. The applicant has not committed any offence as alleged in the FIR lodged against him. The case has been investigated and the

charge-sheet has been filed against him. 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. It is submitted that the statement of the victim is very categoric regarding the commission of offence by this applicant, therefore, no case is made out for grant of bail to the applicant.

4. Notice served upon the complainant/ informant has been returned served but there is no appearance or representation on his behalf.

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

6. FIR has been lodged against the applicant alleging that the victim aged about 13 years is the niece of this applicant. It is alleged that since about 2 years, the applicant had been on finding opportunity used to outrage the modesty of the victim. He again made such attempt on 3.10.2020, thereafter, the FIR has been lodged.

7. Considered the submissions and the facts present in this case. Presently, the charge-sheet has been filed before the Court and the case is pending for trial. Hence, for these reasons, I am of the view that the present is a fit case for grant of 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