

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 7740 of 2020**

Ravi Nirmalkar S/o Late Bihari Nirmalkar Aged About 21 Years R/o Village Barela, Police Station Jarahgaon, District Mungeli, Chhattisgarh.

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

State Of Chhattisgarh Through Police Station Jarahgaon, District Mungeli, Chhattisgarh.

**---- Respondent**


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For the Applicant : Smt. Kiran Jain, Advocate.  
For the Respondent/State : Shri Adil Minhaj, G.A.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****01.12.2020**

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.211 of 2020, registered at Police Station – Jarahgaon, District – Mungeli, Chhattisgarh for the offence punishable under Sections 354, 354(D), 294 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 has been falsely implicated in this case. Because of previous enmity with the complainant's side, the applicant is in jail since 18.9.2020. 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. It is submitted that the victim in this case aged about 12 years and she has made clear statement about the commission of offence by the applicant. Hence, the applicant is not entitled for grant of bail

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

5. As per the prosecution case, it is alleged that this applicant had been stopping the minor victim from quite sometime and on the date of incident, he used physical force to outrage the modesty of the victim and then, he also abused and threatened her. Hence, this case.

6. Considering the fact that the case is now pending for trial before the trial Court and also looking to the delay in conclusion of the trial, 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. 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