

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8243 of 2020**

Ramnath Ravi, S/o. Subedar Ravi, aged about 52 years, R/o. Village Sidhma Harijan Para, Police Chowki Bariyon, P.S. Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : The Station House Officer, Police Chowki Bariyon, P.S. Rajpur, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	: Mr. Jitendra Shrivastava, Advocate
For Respondent/State	: Mr. B.P. Banjare, Dy.A.G.
For Complainant	: Ms. Nupoor Sonkar, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**16/12/2020**

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.200/2020, registered at Police Station –Rajpur, Chowki- Bariyon, District – Balrampur – Ramanujganj (C.G.) for the offence punishable under Section 354 & 452 of the Indian Penal Code and Section 4, 5 of the Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case because of enmity

and previous dispute with the complainant side. The applicant is in jail since 18.10.2020. Charge-sheet has been filed in this case after completion of investigation. It is further submitted by the learned counsel for the applicant that at the time of filing of charge-sheet offence under Section 364, 450, 376/511, 354(B) of I.P.C. and Section 8 of POCSO Act have also been added. Therefore, it is prayed that the applicant may be released on regular bail.

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 looking to the statement given by the minor victim, there is no case made out for grant of bail to the applicant.
4. Complainant – Smt. Murti and the minor victim both are present before this Court, who have stated about their no objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, on the date and time of incident, the applicant caught hold of the minor victim of age 16 years and then by using physical force, he outraged her modesty. Hence, this case.
7. Considered on the submissions and the facts of the case. It is found that investigation in this case is completed and the case is now pending for trial and there appears to be no reason to keep the applicant in continuous detention, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram