

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8164 of 2019

- Paras Ram Sahu S/o Ramnath Sahu Aged About 42 Years
Resident Of Village Teligundra, P.S. Ranitarai, District Durg
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police
Station Ranchirai, Civil And Revenue District Balod Chhattisgarh

---- Respondent

For Applicant	: Shri Sanjay Agrawal, Advocate
For Respondent/State	: Ms. Akshara Amit, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

03/02/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.63/2019 registered at police station Ranchirai, district Balod (CG) for the offence punishable under Sections 363,376,313,294 and 323 IPC and Section 5(L)/6 of the Protection of Children from Sexual Offences Act,2012.

Case of the prosecution in brief is that report was lodged by the prosecutrix alleging that son of the applicant (co-accused) have committed sexual assault on her.

Counsel for the applicant submits that the applicant has been falsely implicated in the case. He submits that similarly placed co-

accused have been granted bail by this court in M.Cr.C. No. 8163/2019 vide order dated 03.01.2020 and therefore the present applicant may also be granted the benefit. He submits that the applicant is in jail since 08.10.2019; the charge sheet has been filed and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the nature of allegation and the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge