

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 260 of 2021**

Prateek @ Aman S/o Kishore Kumar Thawait Aged About 27 Years R/o Village Chotemat, Police Station Sarangarh, District Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Saraipali, District Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant : Shri Vivek Kumar Tripathi, Advocate.
For the Respondent/State : Shri Akhtar Hussain, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****24.03.2021**

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.465 of 2014, registered at Police Station – Saraipali, District – Mahasamund, Chhattisgarh for the offence punishable under Section 354 of the Indian Penal Code, Section 66(a) of the IT Act 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 24.12.2020 and has been falsely implicated in this case. The FIR lodged is totally false to cover-up the incident in which the applicant was beaten and thrashed by the father and the relatives of the victim. After

completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on 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 it is an incident of the year 2014. The applicant went in absconsion because of which, the charge-sheet has been filed in his absconsion on 16.3.2015. Hence, no case is made out for grant of bail to the applicant.

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

5. According to the prosecution case, this applicant used to harass the minor victim; on finding opportunities, he also used to outrage her modesty and this continued from 14.5.2014 to 2.7.2014. The victim who was a school going student had to take transfer certificate from the school because of the activity of the applicant. Subsequent to which, the FIR has been lodged.

6. Considered the submissions and the documents present in this case. As it is the case of about 7 years old, the charge-sheet has been filed and the applicant is also under the submission of this Court, I feel inclined to grant regular bail to the applicant.

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