

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 812 of 2021**

Dhaneshwar Prasad Ratre S/o Sukhiram Ratre Aged About 28 Years R/o
Nawapara, Chhote, P.S. Urga, District Korba, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station- Urga,
District Korba, Chhattisgarh.

---- Respondent

For the Applicant : Shri Suresh Tandon, Advocate.
For the Respondent/State : Shri Kunal Das, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.03.2021**

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.387 of 2019, registered at Police Station – Urga, District – Korba, Chhattisgarh for the offence punishable under Section 354 of the Indian Penal Code and Section 10 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 7.12.2020 and has been falsely implicated in this case. The applicant is related to the complainant side has been falsely implicated because of the family dispute between them. 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 there is clear evidence against this applicant regarding commission of offence. Hence, the applicant is not entitled for grant of bail.

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

5. The prosecution case is that on the date of incident this applicant by use of physical force outraged the modesty of the minor victim of age 11 years by touching her private parts.

6. Considered the submissions. The investigation in this case is complete and the case is now pending for trial, therefore, 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