

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 903 of 2021**

Ramendra Kumar Vatti S/o Shri Shyamlal Vatti Aged About 20 Years R/o Village Mauradah P.S. Narharpur District North Bastar Kanker Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through The Station House In-Charge Police Station Narhapur, District North Bastar Kanker Chhattisgarh.

---- Respondent

For Applicant : Mr. Sandeep Shrivastava, Advocate

For Respondent/State : Mr. Sameer Uraon, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

15/06/2021

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.03/2021, registered at Police Station – Narharpur, District – North Bastar Kanker (C.G.) for the offence punishable under Section 354 of the Indian Penal Code and Section 8 & 12 of the Protection of Children from Sexual Offences Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 04.01.2021. False FIR has been lodged by the complainant against the applicant due to previous enmity. Charge-sheet in this case has been filed and the trial of the case may take some time. Hence, it is prayed that the applicant may 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 are two victims in this case, who were molested by the applicant and they are consistent in their statement in the investigation. It is further submitted that there are eye-witness of the incident, therefore, looking to the gravity of the offence, the applicant is not entitled to be released on bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, both the victims in this case are minor. On 26.12.2020, when both the victims were returning from the village Madai, the applicant came there and caught hold of them and outraged their modesty. Hence, this case.
6. Considered on the submissions. Considering that charge-sheet in this case has been filed and the case is pending for trial and the applicant is in jail since 04.01.2021 and further considering the facts and circumstances of this case, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge