

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1621 of 2021**

- Lokesh Chandrakar S/o. Late Ramnarayan Chandrakar Aged About 35 Years R/o. Ward No. 12, Pitiajhar, P.S. Mahasamund, District Mahasamund (Chhattisgarh)

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Mahasamund, District Mahasamund (Chhattisgarh)

---- Non-Applicant

For Applicant	: Mr. Shubhank Tiwari, Advocate
For State/Non-Applicant	: Mr. Alok Nigam, Government Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order on Board****16.07.2021**

1. Heard.
2. This is 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. 533/2020, registered at Police Station–Mahasamund, District - Mahasamund (C.G.), for the offence punishable under Sections 354, 324, 454 of IPC, Section 10 of the Prevention of Children from Sexual Offences Act, 2012 and Section 3(1)(w) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.
3. It is submitted by the learned counsel for the Applicant that the Applicant has been falsely implicated. He has not committed any

offence. The Applicant is in jail since 03.10.2020. The minor victim and her mother have been examined in the trial and they both have not supported the case of prosecution, therefore, there is no case present against this application, he may be granted bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. The complainant – Santoshi Dhruv is virtually present through the help desk of the High Court. She has no objection in grant of bail to the Applicant.
6. I have heard the learned counsel for both the parties and perused the case diary.
7. According to the prosecution case, it is alleged that this Applicant forced his entry into the house of the minor victim and then forced the victim to sit on his lap, then he pressed her breast and also bite her lips with teeth, regarding which FIR has been lodged.
8. Considered on the submissions. On perusal of the certified copies of the depositions of the victim and her mother, it is found that they have not supported the case of prosecution. Therefore, I am inclined to allow this application.
9. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

10. 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

Chandra