

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C. No.2459 of 2021

- Rameshwar Mahra @ Chotu S/o Panchurani Mahra, aged about 24 years R/o Ward No. 7, Bhatgaon, Khaira, P.S. Ghumka, Distt. Khairagarh (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Khairagarh, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant : Mr. Abhishek Pandey, Advocate

For Non-applicant/State : Ms. Shivali Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-04-2021

1. Heard on admission.
2. Admit.
3. Both the counsel agree to make their submissions on the matter finally.
4. This is the first bail application filed under Section 439 of the Cr.P.C for grant of regular bail to the applicant who has been arrested on 18/02/2021, in connection with Crime No.72/2021, registered at Police Station-- Khairagarh, District Rajnandgaon C.G. for offence punishable under Sections 452, 354 & 354 (B) of the IPC and Sections 7 & 8 of the POCSO.
5. It is submitted by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated due to previous enmity by the Complainant side. FIR as well as the statement are false, the applicant is in jail since 18/02/2021 and charge-sheet has been filed, therefore, it is prayed that the applicant may be granted bail.

6. Learned counsel for the State/non-applicant opposes the application and submits that the age of the Victim girl in this case is only 14 years. There is clear evidence against the applicant regarding outraging modesty of the victim girl, therefore, it is prayed that this application may be rejected.
7. I have heard learned counsel for the parties and perused the case diary.
8. According to the prosecution case, on the date of incident, the applicant visited the house of the minor victim and when she was alone, the applicant used physical force and touched her body inappropriately in her private part. When the victim girl raised the alarm, the applicant also threatened her to kill.
9. Considered the submissions put forth by the parties and the fact that the investigation in this case has already completed and trial is about to commence, I find no reason to keep the applicant in detention, therefore, the bail application is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with two local surety each in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
11. Certified copy as per rules.

(Rajendra Chandra Singh Samant)
Judge

This order is signed today, consequent to the order passed by
this Court in Cr.M.P. No. 428/2021 on 09.04.2021.

Sd/-9.4.2021
(Rajendra Chandra Singh Samant)
Judge