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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2510 of 2021**

Jamiruddin Ansari, S/o. Basiruddin Ansari, aged about 32 years, R/o. Hariharpur, Police Station - Ramchandrapur, District- Balrampur-Ramanujganj, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh, Through : the Police Station, A.J.K. - Balrampur, District- Balrampur, Ramanujganj, Chhattisgarh.

---- Respondent

For Applicant : Mr. V.K. Pandey, Advocate

For Respondent/State : Mr. Sameer Uraon, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**30/07/2021**

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.39/2020, registered at Police Station – A.J.K., District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 354A, 354 and 506 of the Indian Penal Code and Section 8 & 11 of the POCSO Act, 2012 read with Section 3 (1) (r) (s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 read with Section 146/196 of the M.V. 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 11.08.2021. Charge-sheet in this case has been filed. No offence has been committed as alleged by this applicant. Hence, it is prayed that the applicant may be enlarged on regular 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 present against the applicant. Therefore, there is no case present for grant of bail to the applicant.
4. Victim is present virtually before this Court on notice through the Help Desk of District Legal Services Authority – Balrampur and she has no objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, on the date of incident, this applicant gave lift to the minor victim on his vehicle and during the travel, he outraged the modesty of the victim by use of physical force. The victim happens to be a member of scheduled tribe. Hence, this case.
7. Considered on the submissions. Looking to the facts and circumstances and also that the case is now pending for trial, the applicant is in jail since 11.08.2020, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. 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

Balram