

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3457 of 2021**

Ram Singh Yadav S/o Late Firan Say Yadav Aged About 35 Years R/o Village Kudhari Jampali Police Station Gharghoda District Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Officer In Charge Police Station Gharghoda, District Raigarh Chhattisgarh.

---- Respondent

For the Applicant : Shri Ashutosh Mishra, Advocate.
For the Respondent/State : Shri Amit Kumar Verma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.07.2021**

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.6 of 2021, registered at Police Station – Gharghoda, District – Raigarh, Chhattisgarh for the offence punishable under Sections 452 and 354 of the Indian Penal Code, Section 8 of the Protection of Children from Sexual Offences Act, 2012 and Section 3(2)(v)(a) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the applicant submits that the applicant is in jail since 10.3.2021 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The applicant

has not committed any offence as alleged. 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.

4. Notice issued to the complainant/ informant has been returned served but there is no appearance or representation.

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

6. According to the prosecution case, on the date of incident, this applicant forced his entry into the house of the minor victim and caught hold of her with intention to outrage her modesty and he also molested by use of physical force on her.

7. Considered the submissions and the facts of the case. As the charge-sheet has been filed after completion of investigation and no purpose would be served if the applicant was kept in detention for the whole period of trial, therefore, I am of the view that this applicant should be granted regular bail during the pendency of the trial.

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. 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