

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3385 of 2021

- Taukir Khan S/o Shri Salim Khan, Aged About 22 Years, R/o Chhatwa, Out Post- Vijaynagar, P.S.- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Incharge O.P. Vijaynagar, P.S- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Bhupendra Singh, Advocate.

For State/Non-applicant – Shri Alok Nigam, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-07-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 13-03-2021 in connection with Crime No.62/2021 registered at Police Station – Out Post Vijaynagar, P.S. Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh for the offence under Section 354, 457, 363/511 of the IPC and Section 8 of POCSO Act.

2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated because of previous enmity. The FIR lodged is totally false. It had been a simple dispute which has been exaggerated in the complaint. The applicant is in jail since 13-03-2021. Therefore, it is prayed that the applicant be granted bail.

3. Learned counsel for the State/non-applicant opposes the application submitting that there is clear evidence present against this applicant for commission of offences registered against him. Therefore, he is not entitled for grant of bail.

4. Complainant Alim Khan and minor victim both are virtually present through Help Desk of the High Court. They have strong objection in grant of

bail to the applicant.

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

6. According to the prosecution case, on the date of incident the victim aged 13 years was watching TV in her house when the applicant forced his entry and caught hold of her hand and attempting to pull her out of the house. The victim raised alarm on which her mother arrived and then this applicant assaulted and thrashed her. Hence, this case.

7. Considered on the submissions. Taking into consideration the nature of the case and that charge sheet in this case has been filed and now the case is pending for trial, therefore, I feel inclined to allow this application.

8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. 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 one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge