

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3031 of 2021**

Sushil Ekka S/o Badarsai Ekka, Aged About 35 Years R/o Village Kiriya,
Chowki-Rairumakhurd, P.S. Dharamjaigarh, District Raigarh Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Officer In Charge Chowki- Rairumakhurd,
Police Station Dharamjaigarh, District Raigarh Chhattisgarh.

---- Respondent

For the Applicant : Shri Prahalad Panda, Advocate.
For the Respondent/State : Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****05.07.2021**

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.82 of 2021, registered at Police Chowki, Rairumakhurd, Police Station – Dharamjaigarh, District – Raigarh, Chhattisgarh for the offence punishable under Section 354 of the Indian Penal Code and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 19.4.2021 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. 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. It is submitted that looking to the direct statement of the victim and other witnesses against the applicant, he is not entitled for grant of regular bail.

4. The minor prosecutrix is present before this virtual Court through the Help-Desk of the DLSA, Raigarh, District Raigarh. She made a statement that she has objection in grant of bail to the applicant.

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 with intention to outrage the modesty of the minor victim used physical force on her regarding which, FIR has been lodged.

7. Considered the submissions and the facts present in this case. Presently, the trial is pending which is likely to take sometime for its conclusion, therefore, I feel inclined to grant regular bail to the applicant.

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

Nimmi