

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3270 of 2021**

1. Sanju Kumar Sarthi S/o Gulabram Sahu Aged About 20 Years R/o Village Mohanpur, Police Station Lailunga, District Raigarh Chhattisgarh.
2. Suman Sahu S/o Santan Prasad Sahu Aged About 21 Years R/o Village Mohanpur, Police Station Lailunga, District Raigarh Chhattisgarh.

---- Applicants**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Lailunga, District Raigarh Chhattisgarh.

---- Respondent

For the Applicants : Shri Ajeet Kumar Yadav, Advocate.
 For the Respondent/State : Smt. Smriti Shrivastava, 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 applicants who have been arrested in connection with Crime No.111 of 2021, registered at Police Station – Lailunga, District – Raigarh, Chhattisgarh for the offence punishable under Sections 354(A) and 509B/ 34 of the Indian Penal Code and Sections 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicants submits that the applicants are in jail since 10.4.2021 and have been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. Hence, it is

prayed that the applicants 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 there is clear and consistent statement of the victim against these applicants, therefore, the applicants are not entitled for grant of regular bail.

4. Notice issued to the complainant/ informant has been returned served on 8.7.2021 and on that date, there was no appearance or representation from the complainant side.

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

6. According to the prosecution case, on the date of incident, when the minor victim had been to the field for collecting the mahua, these applicants arrived on the spot they made obscene and indecent gestures and then they also outraged the modesty of the minor victim.

7. Presently, the charge-sheet has been filed before the Court and the case is pending for trial, therefore, I feel inclined to grant bail to the applicant in this case.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicants shall be released on bail on each of them 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 their 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