

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3537 of 2021**

Sanjay Yadav S/o Rajkumar Yadav Aged About 25 Years R/o Thakurpur
Pandopara Police Station Gandhinagar District Surguja Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Gandhinagar, District Surguja Chhattisgarh.

---- Respondent

For the Applicant : Shri Nishi Kant Sinha, Advocate.
For the Respondent/State : Shri Sameer Uraon, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****15.07.2021**

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.193 of 2021, registered at Police Station – Gandhinagar, District – Surguja, Chhattisgarh for the offence punishable under Sections 354 and 456 of the Indian Penal Code and Section 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 17.4.2021 and has been falsely implicated in this case because of the previous enmity with the complainant's side. 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 there is clear evidence present against this applicant, therefore, the applicant is not entitled for grant of bail.

4. The victim/ complainant is present before this virtual Court through the Help-Desk of the High Court. 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 and time of incident this applicant forcefully entered into the house of the minor victim caught hold of her waist, also fondled her breast and thus, he intentionally outraged her modesty.

7. Considered the submissions and the facts present in this case. Looking to the fact that the case is now pending before the trial Court and the trial of the case is likely to take some time for its final disposal, 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 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