

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 4814 of 2021**

Prahlad Kumar Lahre, S/o. Shri Paharu Lahre, aged about 47 years, R/o. Village Kotiya, Police Station - Nawagarh, District Janjgir Champa Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh, Through : District Magistrate, District : Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vaibhav A. Goverdhan, Advocate
For Respondent/State	: Mrs. Smriti Shrivastava, P.L.
For Objector	: Mr. Parasmani Shrivastava, Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****28/07/2021**

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.64/2021, registered at Police Station – Birra, District – Janjgir – Champa (C.G.) for the offence punishable under Section 354, 509 (क), 509 of the Indian Penal Code, Section 8 of Protection of Children From Sexual Offences Act, 2012 and Section 67 (ख) of I.T. Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 20.60.2021. He has not committed any offence as alleged against him. Hence, it is prayed that the applicant may be enlarged on regular 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 regarding exchange of obscene photographs from the minor victim and also physically outraging the modesty of the minor victim. Therefore, there is no case present for grant of bail to this applicant.
4. Counsel for the objector has opposed the bail application and the submission made in this respect. It is submitted that looking to the evidence present against this applicant and that the relatives of this applicant are continuously harassing and pressurizing the complainant to compromise in the case, therefore, the applicant should not be granted bail.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. According to the prosecution case, FIR has been lodged by the complainant – Rohit Kumar Banjare, that this applicant is his relative, who had come to the house of the complainant on the event of death of his mother. At that time, the applicant had outraged the modesty of daughter of the complainant, who is minor victim by inappropriately touching her. He also prepared a video, when the minor victim was taking bath. This applicant then by making use of that video compelled the minor victim to provide him with photographs of her private parts. The applicant also threatened the minor victim for not disclosing about his activities to her parents. The victim became mentally disturbed because of the activity of this applicant. Subsequent to which, she disclosed about the series of

incident to her father, who has lodged the FIR.

7. Considered on the submissions. In relation, the applicant is maternal grand father of the minor victim. Looking to the statement of the victim that she was blackmailed by this applicant on the strength of video of her bath, which was secretly prepared by the applicant and other circumstances present, this Court is of the opinion that present is not a fit case, in which, the applicant should be enlarged on regular bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram