

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5627 of 2021**

- Krishna Sarthi S/o Late Govind Sarthi Aged About 26 Years R/o Village Kunjnagar, Police Station Jainagar, Tahsil And District- Surajpur, CG

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police of Police Station- Jainagar, District- Surajpur, CG

---- Non-applicant

For applicant	Shri Anil Gulati, Adv.
For non-applicant/State	Shri Alok Nigam, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****18-10-2021**

1. Victim/Prosecutrix appeared along with her father and mother with the assistance of Shri Satyanarayana Singh, P.L.V. from District Legal Service Authority, Surajpur through VC.
2. Victim/Prosecutrix and her parents submit that they have no objection if bail application of the applicant is allowed.
3. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
4. The applicant has been arrested in connection with Crime No. 135/2021 registered in police station Jainagar, Distt. Surajpur (CG) for offence punishable under Sections 342, 354, 506 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act.
5. Prosecution story, in brief, is that father of the minor prosecutrix lodged report on 7-7-2021 at PS Jainagar to the effect that the applicant took the prosecutrix with him, caught her from behind, kissed her, pressed her breast and when the prosecutrix wept, he threatened to kill her.
6. Learned counsel for the applicant argued that the applicant has been falsely implicated in this case due to family dispute between the parties. He also submits that the prosecutrix and her father have been examined before the Court below, in which, they have not supported the case of the prosecution. The applicant is in jail since 8-7-2021.

Conclusion of trial will take some more time, therefore, he prays that the bail application be allowed and the applicant be released on bail.

7. Per contra, learned State Counsel opposed the submission made by counsel for the applicant.
8. The applicant has filed certified copy of statements of the prosecutrix and her father.
9. Looking to the facts and circumstances of the case, particularly the statements of the prosecutrix and her father, application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of like amount to the satisfaction of the trial Court concerned with condition that he shall appear before court concerned at 11.00 am as and when directed by the said court, he be released on bail.
10. Certified copy as per rules.

Sd/-
(N.K. Chandravanshi)
Judge