

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.5965 of 2021

- Vishnu Prasad Barman S/o Santuram Barman Aged About 37 Years R/o Village Aamgaon, Police Station Jaijaipur, District Janjgir Champa (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through - Police Station Kharsia, District Raigarh (Chhattisgarh)

---- Non-applicant

For Applicant : Mr. Deepak Kumar Singh, Advocate.

For Non-applicant/State : Mr. Anil Tripathi, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-09-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicant has been arrested on 16.07.2021, in connection with Crime No.429/2021, registered at Police Station- Kharsia, District- Raigarh, C.G. for offence punishable under Section 509, 354, 354(A)(1) of I.P.C. and Sections 8 and 12 of POCSO Act.
2. It is submitted by the learned counsel for the applicant that this applicant has been falsely implicated in this case. The applicant is in jail since 16.07.2021. Charge-sheet is filed. No offence has been committed by the applicant, hence, it is prayed that this applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application

and submits that the age of victim was only 13 years and there is direct evidence present against the applicant, therefore, it is prayed that his application may be rejected.

4. The victim is virtually present before this Court through the Help Desk of D.L.S.A. Raigarh and she has objection in grant of bail to the applicant.
5. Heard learned counsel for the parties and perused the case diary.
6. According to prosecution case, it is alleged that this applicant has stopped and continuously ogled at the minor victim and then he made an indecent proposition that the breasts of the victim are beautiful and touched her back with intention to outrage her modesty. Hence, this case.
7. Considered on the submissions. Only for the reason that this case is now pending for trial and there is likelihood of delay in conclusion of the trial, I feel inclined to allow this application.
8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge