

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C. No. 8303 of 2020**

Dhaniram Dhruw, S/o. Mohit Dhruw, aged about 20 years, resident of Lakhauli, Police Station -Arang, District -Raipur Chhattisgarh.

**---- Applicant****Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station Arang, District Raipur Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Pradeep Singh Rathore, Advocate |
| For Respondent/State | : Mr. Adil Minhaj, G.A.               |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****Order On Board****08/01/2021**

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.432/2020, registered at Police Station –Arang, District – Raipur (C.G.) for the offence punishable under Section 456 and 354 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Totally false FIR has been lodged against this applicant. The applicant is in jail since 26.09.2020 and charge-sheet in this case has been filed after completion of investigation. Hence, it is prayed that the applicant be granted 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 statement of the victim shows clear allegation against this applicant regarding commission of offence of outraging her modesty. Therefore, the applicant is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. The case of the prosecution is this that on the date of incident, when the prosecutrix was sleeping in her house, this applicant made unauthorized entry in her room and then by use of physical force touched her body and outraged her modesty, regarding which, FIR has been lodged.
6. Considered on the submissions and the facts of the case. The investigation in this case is completed and the case is now pending for trial and I do not find any reason to keep the applicant in continued detention, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

**Sd/-**  
**(Rajendra Chandra Singh Samant)**  
Judge