

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 9233 of 2020**

Surendra Patel S/o Late Umend Patel Aged About 23 Years R/o Village-Dhuma, Police Station- Sirgitti, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station-Sirgitti, District- Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Dharmesh Shrivastava, Advocate.
For the Respondent/State : Ms. Reena Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.02.2021**

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.538 of 2020, registered at Police Station – Sirgitti, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 354B and 506 of the Indian Penal Code and Sections 7 and 10 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 19.11.2020 and has been falsely implicated in this case. The applicant has not committed any offence. 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 the statement given by the victim is very clear and categoric against the applicant, therefore, no case is made out for grant of bail to the applicant.

4. Heard counsel for both the parties and perused the case diary.

5. The prosecution case is that on the date of incident this applicant on the pretext of practicing witchcraft and sorcery to cure the minor victim asked her to raise her clothes and then he outraged her modesty by physically touching her body. Hence, the FIR has been lodged.

6. Considered the submissions and the facts present in this case. As the investigation is complete and the case is pending for trial, I feel inclined to grant regular bail to the applicant.

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. 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