

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 166 of 2021**

Satkaran, S/o Shri Mahinder Singh, Aged About 22 Years, Caste -  
Sikkh, R/o Village- Kalandargarh, Hariyana.

**--- Applicant**

**Versus**

State of Chhattisgarh, Through: Station House Officer, Police Station-  
Jamul, District- Durg (C.G.)

**--- Respondent**

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For Applicant : Mr. Mirza Hafeez Baig, Advocate.

For State/ Respondent : Mr. Devendra Pratap Singh, Dy. A.G.

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

**Order on Board**

**28/01/2021**

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. 497/2020, registered at Police Station- Jamul, District- Durg (C.G.) for the offence punishable under Section 354 of IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 09.11.2020 and has been falsely implicated in this case. The minor prosecutrix had trespassed the property of the

applicant and as the applicant had apprehension that some agricultural equipment had been stolen recently, therefore, he had suspicion for which reason, he caught hold of the hand of the victim and pulled her to remove from the property, therefore, no offence has been committed by the applicant, apart from that the applicant is mentally disabled person, regarding which, copy of certificate has also been filed along with this application. Hence, it is prayed that this applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application submitting that the applicant is resident of Haryana, therefore, in case, he is released on bail, he will not be available for trial. Hence, the application for grant of bail may be rejected.
4. Heard counsel for both the parties and perused the records.
5. As per case of the prosecution, it is alleged that on the date of incident, the applicant caught hold hand of the prosecutrix with intention to outrage her modesty. When the prosecutrix raised alarm, the applicant released her, regarding which, FIR has been lodged.
6. Considered on the submissions and the facts present in this case. The charge-sheet has been filed after completion of investigation and there is no specific reason available for continued detention of the applicant. For these reasons, I am of this view that it would be proper to release the applicant on bail, hence, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. 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 trial Court, for his appearance as and when directed.

Certified copy, as per rules.

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

Arun