

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 13 of 2021

- Ramayan Kumar Patel, S/o Ramadhar Patel, Aged About 22 Years Caste Patel, R/o Changori, Police Station Akaltara, District-Janjgir Champa Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through - Station House Officer, Police Station Akaltara, Civil and Revenue District-Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Yogeshwar Sharma, Advocate.
For Respondent/State	:	Mr. Gurudev I. Sharan, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

19/03/2021

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.318/2020 registered at Police-Station-Akaltara, District-Janjgir-Champa(C.G.) for the offence punishable under Section 342, 354B, 354 of IPC and Section 8 of POCSO Act.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The applicant is in jail since 20.11.2020. False FIR has been lodged against this applicant because of the previous enmity. Charge-sheet has been filed, therefore, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that looking to the evidence present against this applicant, he is not entitled for grant of regular bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per prosecution case, it is submitted that on the date of incident the minor victim of age about 14 years had been to the house of this applicant, who pulled her inside, closed the doors and then made an attempt to disrobe her and thus outraged her modesty. The prosecutrix made her escape and then the FIR has been lodged.
6. Considered on the submissions. For the reason that the investigation in this case is complete and the case is pending for trial and there is no requirement of further detention of the applicant, therefore, I feel inclined to allow the application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a 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.

Sd/-
(Rajendra Chandra Singh Samant)
Judge