

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2574 of 2025

ORDER:

Seeking the Court to enlarge the petitioner who is arrayed as accused in Crime No.151 of 2024 of Easgoan Police Station, Kumarambheem Asifabad District, on bail, the present Criminal Petition is filed.

2. The brief facts of the case are that on 26.12.2024, at 10 pm, a 17-year-old girl, a student of Viveka Jr College, was allegedly harassed by Rahul Mandal, who claimed to love her. The girl, unable to bear the harassment, consumed poison and was treated at a private hospital. On December 29, 2024, her mother, a resident of Village No.9, Durganagar GP, filed a complaint against Rahul, seeking action against him.

3. Heard Sri Ravi Chandra Bejjaram, learned counsel appearing on behalf of the petitioner as well as Sri Syed Yasar Manoon, learned Additional Public Prosecutor appearing on behalf of the respondent-State.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and falsely implicated in the alleged crime. He further submitted that Section 56 of BNS is inapplicable due to

lack of abetment and there are inconsistencies in the complaint, including the absence of a specified hospital where the victim was taken and that the alleged offences carry sentences below seven years, requiring a order of the Magistrate for arrest. He further submitted that the material part of the investigation is completed and that the petitioner is in jail since 21.01.2025. Therefore, he prayed the Court to grant bail to the petitioner by allowing this Criminal Petition.

5. On the other hand, learned Additional Public Prosecutor opposed the submissions made by the learned counsel for the petitioner stating that the investigation is not yet completed, therefore, granting bail to the petitioner, at this stage, does not arise. Hence, he prayed the Court to dismiss the criminal petition.

6. After considering submissions from both the parties and reviewing the record, it appears that the petitioner is languishing in jail from 21.01.2025 and the material part of investigation is completed. Considering the facts and circumstances of the case, this Court deems it fit to grant bail to the petitioner subject to the following conditions:

- i. The petitioner shall execute a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two

sureties for a like sum each to the satisfaction of the learned Judicial Magistrate of First Class, Sirpur-T.

- ii. The petitioner shall appear before the concerned SHO at 11:00 a.m., on every Sunday for a period of eight (8) week or till filing of charge sheet whichever is earlier, for the purpose of investigation, and thereafter, as and when required.
- iii. The petitioner shall abide by the conditions stipulated in Section 437(3) of Cr.P.C. (presently, Section 480(3) of the BNSS).

7. Accordingly, the Criminal petition is allowed.

Miscellaneous applications, if any pending, shall stand closed.

K. SUJANA, J

Date: 03.03.2025
SAI

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