

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3338 OF 2015**

Ashman Alias Ashwini Banjare Son of Vighnharan Banjare, Aged about 20 years, Resident of village Kanha Bahira, Police Station Pipariya, Civil and Revenue District Kabirdham, Chhattisgarh.

---Applicant

Versus

The State of Chhattisgarh Through the Station House Officer Police Station Pipariya, Civil and Revenue District Kabirdham, Chhattisgarh.

---Non-applicant

For Applicant	:	Mr. M.D. Dhote, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/07/2015**

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. 124/15, registered at Police Station Pipariya, for the offence punishable under Sections 354, 294, 506 read with Section 34 of IPC and Sections 7 and 8 under the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that present applicant is alleged to have outraged the modesty of complainant on 15/05/2015 and committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in the offence in question. He would further submit that charge sheet has been filed and

applicant is in jail since 08/06/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant in offence in question; charge sheet has been filed and applicant is in jail since 08/06/2015, this Court is of the opinion that present is the 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 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.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE