

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3905 OF 2015**

Arjun Kumar Karsh S/o Late Manaram Karsh, aged about 26 years, By caste Dhobi, r/o Jangle Colony S.E.C.L. Korba, Police Chauki Manikpur Police Station Kotwali, Teh & Civil & Revenue dist. Korba (C.G.)

---Applicant**Versus**

State of Chhattisgarh through, Police Chauki Manikpur Police Station Kotwali Korba, Civil & Revenue Dist. Korba (C.G.)

---Non-applicant

For Applicant	:	Mr. Akhilesh Kumar, Advocate
For Non-applicant	:	Mr. Suvgiya Awasthi, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/08/2015**

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.268/2015, registered at Police Chauki Manikpur Police Station Kotwali Korba, Dist. Korba (C.G.), for the offence punishable under Sections 354(A), 506/34 of Indian Penal Code & Sections 7 & 8 of Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that on 25/06/2015, applicant sexually harassed and sexually assaulted the complainant and thereby committed offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in offence in question. He would further submit that no custodial interrogation is required

and no useful purpose would be served by keeping him in jail. He would lastly submit that applicant is in jail since 28/06/2015 therefore, he may be released on bail.

4. On the other hand, learned counsel for the State would oppose the prayer for grant of bail.

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 applicant in offence in question; pretrial detention of the applicant, 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