

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3964 OF 2015**

Komal Das son of late Budhwar Das, aged about 32 years R/o village Dumarmuda, P.S. Darri, Tahsil Katghora, District Korba (C.G.)

---Applicant**Versus**

State of Chhattisgarh Through : Station House Officer, Police Station Darri, District Korba (C.G.)

---Non-applicant

For Applicant	:	Mr. Shailendra Dubey, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

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. 72/2015, registered at Police Station Darri, District Korba (C.G.), for the offence punishable under Section 354 of Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that present applicant is said to have outraged the modesty of complainant on 05/07/2015 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 applicant is in jail since 05/07/2015 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 and 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