

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4110 of 2015**

Amitabh Chikwa S/o Tejram Chikwa aged about 19 years R/o Village-Jamgawan P.S.-Darima, Civil & Revenue Distt.Surguja (CG)

---Applicant**Versus**

State of Chhattisgarh, Through –the Police Station-Darima Distt.Surguja (CG)

---Non-applicant

For Applicant	:	Mr. A.N.Pandey, Advocate
For Non-applicant	:	Mrs. Madhu Nisha Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****19/08/2015**

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.70 of 2015, registered at Police Station-Darima, Distt.Surguja (C.G.), for the offence punishable under Section 353 of the IPC and Sections 7 & 8 of the Protection of Children from Sexual Offences Act.
2. Case of the prosecution, in brief, is that the applicant is alleged to have outraged the modesty of minor complainant on 14.5.2015 and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has been falsely implicated in the case. He would further submit that the applicant is in jail since 17.5.2015 and charge-sheet has already been filed, 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, his pre-trial detention and charge-sheet has already been filed, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be released on 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

B/-