

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4211 OF 2015**

Trilochan @ Bholaram, aged about 19 years, (correct age is 18 years) S/o Purushottam Sahu, R/o Palaansari, Police Station Pandatarai, Civil and Revenue District Kabirdham (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer, Police Station Pandatarai, District Kabirdham (C.G.)

---Non-applicant

For Applicant	:	Mr. G. V. K. Rao, Advocate
For Non-applicant	:	Ms. Ansuiya Rajput, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****24/08/2015**

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. 45/15, registered at Police Station Pandatarai, District Kabirdham, for the offence punishable under Sections 323, 354 and 506 of Indian Penal Code.

2. Case of the prosecution, in brief, is that, present applicant alleged to have outraged the modesty of the complainant on 17/06/2015 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 case is fixed for framing of the charge, as such, no custodial interrogation is required. He would lastly submit that

charge sheet has been filed and applicant is in jail since 22/06/2015, 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; pretrial detention of the applicant and charge sheet has already been filed, 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