

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7258 of 2015

1. Raja Gahire @ Amit Gahire, aged about 23 years, S/o. Shri Somnath Gahire, R/o. Lavsingh Lane, Vishnu Nagar, Kududand, Bilaspur, Police Station Civil Lines, Tahsil Bilaspur, Civil and Revenue District – Bilaspur (C.G.) (Address of the applicant is incomplete mention in the impugned order)

----Applicant

Versus

1. State Of Chhattisgarh, Through : Station House Officer, Police Station – Civil Lines, District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Arvind Shrivastava, Advocate
For Respondent/State	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/12/2015

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.543/2015, registered at Police Station – Civil Lines, Bilaspur, District – Bilaspur (C.G.) for the offence punishable under Section 354, 294 & 506 of Indian Penal Code and Section 8 of Prevention of Children from Sexual Offence Act, 2012.
2. Case of the prosecution, in brief, is that a report was made alleging that on 11.09.2015 at about 6.30 the victim was standing in front of her house, the applicant went there and caught hold of the hand of the victim and dragged her and on being alarm raised, the other persons intervened and thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case since the applicant has made a

report against the brother of the victim prior to the incident. The counsel relied on the document filed alongwith the application and would submit that the applicant is in jail since 30.11.2015, therefore, he prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into consideration the nature and the gravity of offence and further considering the fact that the charge sheet in this case has been filed and the applicant is in jail since 30.11.2015, this Court is of the opinion that present is a 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 his 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/-
(Goutam Bhaduri)
Judge