

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4595 of 2015**

Khemlal @ Khetu Patel, S/o.Dhayanik Ram Patel, aged about 50 years, R/o-Village-Achanakpur, Post office & Police Station – Tumgaon, Tahsil & District-Mahasamund (CG)

---Applicant**Versus**

State of Chhattisgarh through the Station House officer, Police Station – Pithoura, District – Mahasamund (CG)

---Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****07/09/2015**

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.129/2015, registered at Police Station-Pithoura, District-Mahasamund (CG), for the offence punishable under Section 354 of the IPC and Section 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant has outraged the modesty of the minor complainant on 26.7.2015 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 falsely been implicated in crime in question. He would further submit that the applicant is jail since 7.8.2015 and charge-sheet has already been filed, therefore, he may be released on regular 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 the fact that charge-sheet has already been filed, 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 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/-