

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3714 of 2015**

- Tava @ Raj Kumar Tirkey, S/o Sahadev, aged about 25 years, R/o Manikprakashpur, PS City Kotwali, Ambikapur (Sarguja) C.G.

---- Applicant**Versus**

- State Of Chhattisgarh Through: the Station House Officer, Police Station – Ambikapur (Sarguja) C.G.)

---- Non-applicant

For Applicant: Mr. Jitendra Shrivastava, Advocate.
For Respondent/State: Mrs. Madhu Nisha Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****04/08/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 319/2015 registered at Police Station – Ambikapur, Distt. Sarguja for the offences punishable under Sections 294, 323, 506 & 354/34 of the Indian Penal Code and Sections 7 & 8 of Protection of Children from Sexual Offence Act. .

(2) Case of the prosecution is that on 23.6.2010 applicant outraged modesty of the victim and also assaulted her, by which, she suffered simple injuries.

(3) Counsel for the applicant submits that applicant has falsely been implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 2.7.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, further considering the role of the present applicant in the offence in question; and the facts that applicant is in jail since 2.7.2015; and the charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-