

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3900 OF 2015**

Durgeh Verma son of Ramesh Verma, aged about 18 years, resident of Bundela, O.P. Maro, Police Station-Nandghat, Revenue District Bemetara, Civil District-Durg (C.G.)

---Applicant

Versus

State of Chhattisgarh Through : the Incharge, Out Post Maro, Police Station-Nandghat, District Bemetara (C.G.)

---Non-applicant

For Applicant	:	Mr. V.C. Ottalwar, Advocate
For Non-applicant	:	Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/08/2015**

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. 251/2015, registered at Out Post Maro, Police Station Nandghat, District Bemetara (C.G.), for the offence punishable under Section 354 of Indian Penal Code and Section 11 & 12 of Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that present applicant is alleged to have outraged the modesty of minor complainant on 30/06/2015 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 no custodial interrogation is required and

no useful purpose would be served by keeping him in jail. He would lastly submit that charge sheet has been filed and applicant is in jail since 01/07/2015 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; charge sheet has been filed and applicant is in jail since 01/07/2015, 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