

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 3968 OF 2015**

Pandhari Lal Sonkar son of Banarsi Lal Sonkar, aged about 24 years,
resident of Janta Colony, Gudhiyari, Raipur, District Raipur (C.G.)

---Applicant**Versus**

State of Chhattisgarh Through: Station House Officer, Police Station
Gudhiyari, District Raipur (C.G.)

---Non-applicant

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-applicant	:	Mr. S.R.J. Jaiswal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****17/08/2015**

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. 382/2014, registered at Police Station Gudhiyari, District Raipur (C.G.), for the offence punishable under Sections 377, 506 of Indian Penal Code and Section 4 of Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that present applicant has committed carnal intercourse with the prosecutrix against the order of nature 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 victim, her father and doctor have been examined and they have not supported the case of the prosecution. He

would lastly submit that charge sheet has been filed and applicant is in jail since 29/11/2014 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; statement of the prosecution witnesses; pretrial detention of the applicant; charge sheet has 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