

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4454 OF 2015**

Jageshwar Jaiswal, son of Ferha Ram Jaiswal, aged about 29 years, R/o Titupara, Simga, P.S. Simga, Civil and Revenue District Balodabazar-Bhatapara (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer, P.S. Simga, District Balodabazar-Bhatapara (C.G.)

---Non-applicant

For Applicant	:	Mr. Atanu Ghosh, Advocate
For Non-applicant	:	Mr. Vivek Singhal, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****31/08/2015**

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. 170/2015, registered at Police Station Simga (C.G.), for the offence punishable under Section 354 of IPC and Section 8 of Protection to Children for Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that, applicant is said to have outraged the modesty of minor victim/complainant on 22/05/2015 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 this case. He would further submit that 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 30/07/2015 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 30/07/2015, 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