

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4669 OF 2015**

Ramdhan S/o Ghasi Ram Pati Gond, aged about 19 years, R/o Kundikala
Present Address Patorra, P.S. Lundra, Civil & Revenue Distt. Surguja (C.G.)

---Applicant**Versus**

State of Chhattisgarh, through, Station House Officer Police Station Lundra,
Distt. Surguja (C.G.)

---Non-applicant

For Applicant	:	Ms. Indira Tripathi, Advocate
For Non-applicant	:	Mr. Neeraj Pradhan, P.L.

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. 50/2015, registered at Police Station Lundra, Distt. Surguja (C.G.), for the offence punishable under Sections 354, 323 of I.P.C. and 8 of Protection of Children from Sexual Offence Act.

2. Case of the prosecution, in brief, is that, on 07/05/2015 applicant outraged the modesty of the prosecutrix and also caused simply hurt and thereby committed aforesaid 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 no custodial interrogation is required and no useful purpose would be served by keeping him in jail. He would lately

submit that charge sheet has been filed and applicant is in jail since 15/06/2015, 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 already been filed and applicant is in jail since 15/06/2015, 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 trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE