

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No. 4661 OF 2015**

Chandra Kumar @ Chandu S/o Ghasi Ram Gond, aged about 28 years R/o village Nawagaon Police Station Bilha Civil and Revenue District Bilaspur (C.G.)

---Applicant

Versus

State of Chhattisgarh, through Station House Officer Police Station Bilha, District Bilaspur (C.G.)

---Non-applicant

For Applicant	:	Mr. Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. Aditya Sharma, 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. 179/2015, registered at Police Station Bilha, District Bilaspur (C.G.), for the offence punishable under Sections 354, 354-A (2) [wrongly mentioned as 354A (2)(D)] of Indian Penal Code and Section 8 of Protection of Children from Sexual Offence Act.
2. Case of the prosecution, in brief, is that, on 28/07/2015 applicant is said to have outraged the modesty/sexually harassed the minor complainant 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 applicant is in jail since 08/08/2015, 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 and applicant is in jail since 08/08/2015, 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