

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4845 OF 2015**

Chumman Singh Verma son of Prahlad Verma aged about 25 years R/o village Achhoti Post Murmunda P.S. Nandani District Durg (C.G.)

---Applicant

Versus

State of Chhattisgarh through Station House Officer, Nandani Nagar, District Durg (C.G.)

---Non-applicant

For Applicant	:	Mr. Jitendra Gupta, Advocate
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****15/09/2015**

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.27/2015, registered at Police Station Nandani Nagar, Durg (C.G.), for the offence punishable under Sections 363, 366 of IPC and Section 11 of the Protection of Children from Sexual Offences Act.

2. Case of the prosecution, in brief, is that, applicant abducted the minor girl/child on 06/02/2015 and sexually assaulted her within the meaning of Section 11 of the Protection of Children from Sexual Offences Act.

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 25/03/2015 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 pretrial detention of the applicant, particularly more than six months, 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