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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4811 of 2015**

- Jitendra Kumar Baghel @ Mohd. Jafar @ Jittu son of Ved Baghel, aged about 48 years, resident of Rajendra Nagar, Police Station-Civil Line, Bilaspur, District – Bilaspur (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh, Through: Station House Officer, Police Station -Civil Line, Bilaspur, District Bilaspur (C.G.)

---- Non-applicant

For Applicant:	:Mr. Vinay Dubey, Advocate.
For Non-applicant/State	:Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14/09/2015**

Heard.

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 459/2015 registered at Police Station Civil Line, Bilaspur, District Bilaspur for the offences punishable under Sections 354(A)(B) of Indian Penal Code and Section 10 of Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that on 18.8.2015 applicant sexually harassed the minor prosecutrix and also used criminal force with intent to dis-rob her and thereby committed the

aforesaid offences.

(3) Counsel for the applicant, while referring the statement of the prosecutrix recorded under Section 164 Cr.P.C before the court below, would submit that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that applicant is in jail since 19.08.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case, further considering the the facts that applicant is in jail since 19.08.2015; charge sheet has already been filed and no custodial interrogation is required; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.

(6) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

