

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 4983 OF 2015**

Arjun Singh, S/o Thakur Singh, aged about 35 years, Occupation Service, R/o Vilalge Navapara, Ambikapur, P.S. & Tahsil Ambikapur, Dist. Sarguja (CG).

---Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police Station Gandhi Nagar, Ambikapur (Sarguja) (CG)

---Non-applicant

For Applicant	:	Mr. Jitendra Shrivastava, Advocate
For Non-applicant	:	Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****21/09/2015**

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 Gandhi Nagar, Ambikapur (Sarguja), for the offence punishable under Sections 456 & 354 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that on 30/08/2015 present applicant unauthorizedly entered into the house of complainant and outraged her modesty 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 lastly

submit that applicant is in jail since 01/09/2015, 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 applicant in offence in question and pretrial detention of the applicant from 01/09/2015, 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