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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4939 of 2015**

- Rajesh Sarthi, S/o Shri Ram Prasad @ Chunuram, aged about -23 years, R/o village-Kharwanipara, P.S. & Tahsil-Baramkela, Distt. Raigarh, Civil and Revenue Distt. Raigarh (C.G.)

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station-Baramkela, Distt. Raigarh (C.G.)

---- Non-applicant

For Applicant: Mr. M.K. Sinha, Advocate.
 For Respondent/State: Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****28/09/2015**

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. 97/2015 registered at Police Station Baramkela, Distt. Raigarh for the offences punishable under Sections 354,341,294 & 506/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that on 21.08.2015 applicant & two other co-accused persons outraged the modesty of the minor victim and also threatened and abused her and

thereby committed the aforesaid offences.

(3) Learned counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he not committed any offence. He further submits that applicant is in custody from 28.08.2015 and the charge is yet to be filed but substantial investigation has already been made 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 his pre-trial detention and the substantial investigation has already made; 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.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-