

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.4995 of 2015**

Chandu S/o Bihari, aged 27 years, Cast-Uraon, R/o-Village-Barhabudha, P.S.
Chandrapur & Tahsil Dabhra, District-Janjgir-Champa (CG)

---Applicant**Versus**

State of Chhattisgarh, Through–District Magistrate, Janjgir-Champa, District
Janjgir-Champa (CG)

---Non-applicant

For Applicant	:	Mr. Ishwar Jaiswal, Advocate
For Non-applicant	:	Mr. S.R.J.Jaiswal, Panel Lawyer

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.129/2014, registered at Police Station-Chandrapur, District-Janjgir-Champa (C.G.), for the offence punishable under Sections 354 and 354(B) of the IPC.
2. Case of the prosecution, in brief, is that on 24.10.2014 the present applicant outraged the modesty of the complainant and also used criminal force to her and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He would further submit that he is in jail since 26.8.2015, charge-sheet has also been filed and no further interrogation is required and 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; his pre-trial detention and the fact that charge-sheet has already been filed, 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 his 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

B/-