

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5177 of 2015

Bhagwat @ Dhoni, S/o Bhaku Lal, aged about 25 years, Caste Chauhan, R/o Village Jhalraunda, Police Station Baradwar, Tahsil Jaijaipur, Revenue and Civil District Janjgir-Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through District Magistrate, Janjgir, District Janjgir-Champa (C.G.) and also through Police Station Baradwar, District Janjgir-Champa (C.G.)

---- Non-applicant

For Applicant:	Mr. Pushpendra Kumar Patel, Advocate.
For Non-applicant:	Mr. Arvind Dubey, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

05/10/2015

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.218/2015 (Criminal Case No.841/2015 pending in the Court of Judicial Magistrate First Class, Sakti), registered at Police Station Baradwar, Distt. Janjgir-Champa, for the offence punishable under Sections 354A & 323 of the IPC.
2. Case of the prosecution, in brief, is that on 26-7-2015, the applicant has sexually harassed the complainant/victim and also caused simple hurt to her.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. There is no injury noticeable by the doctor. The applicant is in jail since 26-7-2015, charge-sheet has been filed and no custodial interrogation of the applicant is required.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the applicant, pretrial detention of the applicant and the fact that charge-sheet has been filed, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge