

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.5428 of 2015

Vishnu Sarthi, S/o Shobharam Sarthi, aged about 18 years, R/o Village Kharwanipara, Police Station Baramkela, District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Baramkela, District Raigarh (C.G.)

---- Non-applicant

For Applicant:	Mr. Bharat Rajput, Advocate.
For Non-applicant:	Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

12/10/2015

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.97/2015, registered at Police Station Baramkela, Distt. Raigarh, for the offence punishable under Sections 354, 341, 294, 506 read with Section 34 of the IPC and 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 21-8-2015, the applicant and two other co-accused persons outraged the modesty of a minor victim and also threatened and abused her, and thereby committed the aforesaid offences.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He further submits that the applicant is in custody since 28-8-2015. He also submits that co-accused Rajesh Sarthi has been released on bail by this Court vide order dated 28-9-2015 passed in M.Cr.C.No.4939/2015, therefore, the present applicant is also entitled for bail on the ground of parity.

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, pretrial detention of the applicant and the fact that co-accused Rajesh Sarthi has already been granted regular bail by this Court, I am of the view that it is a fit case to grant regular bail to the applicant. 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