

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C No. 5581 of 2015**

- Sarit Paikra, S/o Santram Paikra, aged about 20 years, R/o village Tarashiv, post Damru, Police Station Baloda Bazar, Civil and Revenue Baloda Bazar-Bhatapara, District Baloda Bazar-Bhatapara (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through: Station House Officer, police of Police Station-Baloda Bazar, District Baloda Bazar-Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. Anil Gulati, Advocate.
 For Respondent/State: Mr. Arvind Dubey, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****13/10/2015**

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. 321/2015 registered at Police Station Baloda Bazar, District Baloda Bazar-Bhatapara for the offences punishable under Sections 354 & 451 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act (as per certified copy).

(2) Case of the prosecution, in brief, is that on 16.9.2015 applicant entered into the house of prosecutrix unauthorisedly and outraged her modesty and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as he has not committed any offence. He further submits that the applicant is in jail since 19.09.2015 and charge sheet is yet to be filed 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 the facts that applicant is in jail since 19.09.2015; and the substantial investigation has already been 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.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

