

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 446 of 2016**

Govind Bihari Singh Rathore S/o Shri Ugem Kumar Singh
 aged about 21 years R/o Station Maroda New Market
 near lord Hanuman Temple Tehsil and District Durg Civil
 and Revenue District Durg (C.G.)

---Applicant**Versus**

State of Chhattisgarh through Station House Officer
 Nevai District Durg (C.G.)

---Non-applicant

For Applicant	:	Mr. Avinash C. Sahu, Advocate
For Non-applicant	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****03/02/2016**

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. 281/2015, registered at Police Station Nevai (Bhilai), District Durg (C.G.), for the offence punishable under Section 354 of IPC and Section 8 of

Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that on 30/10/2015, present applicant outraged the modesty of complainant and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in crime in question. He would further submit that charge sheet has been filed and applicant is in jail since 31/10/2015. He would lastly submit that no useful purpose would be served by detaining him in jail, 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 in offence in question; charge sheet has already been filed and applicant is in jail since 31/10/2015, 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 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