

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.563 of 2016

Narsingh Yadav Rathore S/o Kamlu Yadav aged about 25 years, R/o Saraswati Nagar, Imli Chowk, Durg Tehsil and District Durg, Civil and Revenue District Durg (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, Durg, District Durg (CG)

---Non-applicant

For Applicant	:	Mr. Aviansh Chand Sahu, Advocate
For Non-applicant	:	Mr. Ajit Singh, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

11/02/2016

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.534/2015, registered at Police Station-Durg, District-Durg (C.G.), for the offence punishable under Sections 354A & 454 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that on 12.7.2015 the applicant outraged the modesty of minor complainant and sexually harassed her by trespassing her house.

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 the applicant is in jail since 13.7.2015 and charge-sheet has already been filed 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 a 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 the 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/-