

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 965 OF 2016**

Panchram Markam aged about 59 years son of Bulluram at present working as 'Head Master' of Government Primary School Khaspara Ghodagoan Tahsil and District Kondagoan C.G. R./o Mundipara Ghodagoan Tahsil and District Kondagoan (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through Police Station Kondagoan, District Kondagoan (C.G.)

---Non-applicant

For Applicant	:	Mr. Vishnu Koshta, Advocate
For Non-applicant	:	Mr. Ajit Singh, P.L.

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

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. 300/2015, registered at Police Station Kondagoan, District Kondagoan, for the offence punishable under Sections 354, 323, 354(A) of the I.P.C. and Section 12 of POCSO Act.

2. Case of the prosecution, in brief, is that, on 24/11/2015, applicant outraged the modesty of minor complainants and sexually assaulted them 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 this case. He would further submit that applicant is Head Master and very soon he is likely to retire. He would lastly submit that charge sheet has been filed and applicant is in jail since 30/11/2015 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; age of the applicant; charge sheet has already been filed and applicant is in jail since 30/11/2015, 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