

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 1683 OF 2016**

Manoj Kumar S/o Kaleshwar Prasad aged 20 years caste
Suryawanshi R/o Hardi (Hari) Tehsil Navagarh, District Janjgir
Champa C.G.

---Applicant**Versus**

State of Chhattisgarh, Through District Magistrate District
Janjgir Champa P.S. Navagarh District Janjgir Champa.

---Non-applicant

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

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****30/03/2016**

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. 45/2016, registered at Police Station Navagarh, District Janjgir Champa (C.G.), for the offence punishable under Section 354 of the I.P.C.

2. Case of the prosecution, in brief, is that, on

14/02/2016 applicant outraged the modesty of prosecutrix as he attempted to commit rape with her 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 substantive investigation has already been completed and there is no useful purpose would be served by keeping him in jail. He would lastly submit that applicant is in jail since 14/02/2016 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 applicant in offence in question and pretrial detention of the applicant, 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