

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1785 of 2016**

Tuka Ram Fekar, S/o Gangaram Fekar, Aged about 25 years, R/o Village-Mohtara, Police Thana City Kotwali, Distt. Baloda Bazar-Bhatapara (C.G.)

---- Applicant

Versus

The State Of Chhattisgarh, Through the police station City Kotwali, Distt. Baloda Bazar- Bhatapara (C.G.)

---- Non-applicant

For Applicant: Mr. Deepak Kumar Jain, Advocate.
For Non-applicant/State: Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****09/05/2016**

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. 87/2016 registered at Police Station City Kotwali, Distt. Baloda Bazar, Bhatapara (C.G.) for the offence punishable under Sections 354 & 294 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

(2) Case of the prosecution, in brief, is that on 26.02.2016 applicant outraged the modesty of minor complainant and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that the 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 28.2.2016 and no useful purpose would be served in detaining him in jail 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 nature & gravity of the offence; facts and circumstances of the case; role of the present applicant in the offence in question; further considering his pre trial detention; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant – **Tuka Ram Fekar** 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/-