

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1905 of 2016**

Kush Kumar S/o Puniram Satnami, aged about 43 years, R/o village Chakarda, Police Station-Sarsiwa, Civil and Revenue District Baloda Bazar-Bhatapara (CG)

---Applicant

Versus

State of Chhattisgarh Through: Station House Officer, police of Police Station – Sarsiwa, District-Baloda Bazar-Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Aditya Shrama, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

11/04/2016

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.46/2016, registered at Police Station-Sarsiwa, District-Baloda Bazaar Bhatapara (CG), for the offence punishable under Sections 354 and 454 of the IPC.

2. Case of the prosecution, in brief, is that on 3.3.2016 the applicant outraged the modesty of the complainant and thereby committed the aforesaid offence.

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 4.3.2016 and charge-sheet has already been filed,

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 & circumstances of the case, nature & gravity of the 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-