

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1960 of 2016**

Vishal Giri, aged about 19 years, S/o Man Giri Goswami,
R/o Village Kesla, Bhavlahitola, Chowki Kotmi, Thana
Pendra, Distt. Bilaspur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through Police Station Churiya,
Tahsil Dongargarh, Distt. Rajnandgaon (C.G.)

-----Non-applicant

For Applicant: Mr. Parag Kotecha, Advocate.
For Non-applicant/State: Mr. Suvigya Awasthy, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****11/04/2016**

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. 175/2015 registered at Police Station Churiya for the offences punishable under Sections 363, 366 & 354 A(1)(i) of Indian Penal Code and Section 7 & 8 of Prevention of the Children from Sexual Harassment Act.

(2) Case of the prosecution, in brief, is that applicant kidnapped the minor prosecutrix and outraged her modesty and thereby committed the aforesaid offences.

(3) Counsel for the applicant submits that prosecutrix has voluntarily gone with the applicant to the various places and, as such, the applicant has been falsely implicated in the offence in

question and he has not committed any offence. He further submits that applicant is in jail since 9.10.2015; and the charge sheet has already been filed 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 facts & circumstances of the case; role of the present applicant in the offence in question; his pre trial detention and the fact that charge sheet has already been filed; 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 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/-