

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.2094 of 2016**

Fahad Khan @ Faiz @ Faizu, aged about 22 years, S/o Mahboob Khan (not mention in impugned order) R/o House No.255, Venkat Nagar, Police Station Anuppur, at present residing at 3-6/366, ahead of Akbar Manjil, Police Station Bairan Bazaar, Raipur (CG)

---Applicant**Versus**

State of Chhattisgarh Through–Station House Officer, Police Station – Ambikapur, District Surguja (CG)

---Non-applicant

For Applicant	:	Mr. Qamrul Aziz, Advocate
For Non-applicant	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****20/04/2016**

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.685/2015, registered at Police Station-Ambikapur, District-Surguja (CG), for the offence punishable under Sections 341 & 354 of the IPC and Section 8 of the POSCO Act.

2. Case of the prosecution, in brief, is that on 25.11.2015 the applicant outraged the modesty of the complainant/victim and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated on account of some dispute. He would further submit that the

applicant is in jail since 27.2.2016 and charge-sheet has already been filed.

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/-