

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2223 of 2016

Amirlal (wrongly mentioned as Amilal in the impugned order) S/o Kejauram Satnami aged about 31 years R/o Mandla Police Station Khairagarh District Rajnandgaon C.G.

---Applicant

Versus

State of Chhattisgarh through Station House Officer Police Station Khairagarh District Rajnandgaon C.G.

---Non-applicant

For Applicant	:	Mr. Abhishek Sharma, Advocate
For Non-applicant	:	Mr. Suvigya Awasthy, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

02/05/2016

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. 107/2016, registered at Police Station Khairagarh, District Rajnandgaon (C.G.), for the offence punishable under Section 354 of IPC and Section

8 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that, on 21/03/2016 applicant is said to have outraged the modesty of complainant 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 no custodial interrogation is required. He would lastly submit that applicant is in jail since 22/03/2016 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

present 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