

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7586 of 2015

1. Vikash Sharma, S/o. Nandu Sharma, aged about 20 years, R/o. Kedarpur, P.S. Ambikapur, District Surguja (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station, Ambikapur, District – Surguja (C.G.)

---- Respondent

For Applicant : Ms. Hamida Siddiqui, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13/01/2016

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.693/2015, registered at Police Station – Ambikapur, District – Surguja (C.G.) for the offence punishable under Section 457, 354, 506 of Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act.
2. Case of the prosecution, in brief, is that on 29.11.2015, the victim while was fetching the water inside her house, the applicant came and closed the door and caught hold of the hand of the victim and tried to drag her and on having raised the alarm by the victim, the sister of the victim came there and thereafter, the applicant fled away from the scene.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. She would further submit that the applicant is the tenant of the house and the applicant was in good

relation with the family members of the victim and the sister came therefore, the report has been made. She would further submit that the applicant is in jail since 01.12.2015, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Having regard to the facts and circumstances of the case and taking into consideration the nature and gravity of offence, further considering the fact that the applicant is in jail since 01.12.2015, 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 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge