

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.495 of 2016**

Santosh Patel, son of Babu Ram Patel, aged about 35 years, resident of Village Pisid, Police Station Kasdol, District Baloda Bazar-Bhatapara (CG)

---Applicant

Versus

State of Chhattisgarh, Through: The Station House Officer, Police Station Kasdol, District Baloda Bazar-Bhatapara (CG)

---Non-applicant

For Applicant	:	Mr. S.K.Guha, Advocate
For Non-applicant :		Mr. Vivek Shinghal, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

04/02/2016

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.512/2015, registered at Police Station-Kasdol, District-Balodabazar-Bhatapara (C.G.), for the offence punishable under Sections 354 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that on 12.12.2015 the applicant entered into the house of the minor complainant and outraged her modesty 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 15.12.2015 and charge-sheet has already been filed and 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; pre-trial detention of the applicant 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.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-