

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3894 of 2016

1. Rakesh Kumar Tandon, S/o. Girdhar Tandon, aged about 24 years, R/o. Village-Paraswani, Police Station -Palari, District – Balodabazar-Bhatapara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : its Police Station – Palari, District – Balodabazar-Bhatapara, Civil and Revenue District – Balodabazar – Bhatapara (C.G.)

---- Respondent

For Applicant	: Mr. B.L. Sahu, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

20/07/2016

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.173/2016, registered at Police Station – Palari, District – Balodabazar-Bhatapara C.G.) for the offence punishable under Section 452, 354 of I.P.C. and Section 8 of POCSO Act.
2. Case of the prosecution, in brief, is that on 10.05.2016 at about 3.00 am, the applicant while driving away the monkeys entered into the house of the complainant caught hold of her hands and tried to drag her and on being objected, thereafter, the applicant run away.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in this case and there was no intention to commit any such offence. It is

further submitted that charge-sheet in this case has been filed and the applicant is in jail since 12.05.2016. Therefore, 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 for the parties.
6. Considering the facts and circumstances of the case, the degree of allegation and nature of offence, and further considering the fact that charge-sheet in this case has been filed and the applicant is in jail since 12.05.2016, 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