

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.426 of 2016

Manoj Tondon @ Chhanti, S/o Pitamber Das, aged about 25 years, R/o Shardapara, Behind Yugnirman Camp 2, Bhilai, Tehsil and District Durg, Civil and Revenue District Durg (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Chhawani (Bhilai), District Durg (C.G.)

---- Non-applicant

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| For Applicant:     | Mr. Avinash Chand Sahu, Advocate. |
| For Non-applicant: | Mr. Vivek Singhal, Panel Lawyer.  |

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Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/02/2016

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.517/2015, registered at Police Station Chhawani (Bhilai), Distt. Durg, for the offence punishable under Sections 354, 456 of the IPC, Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 4-9-2015, the applicant unauthorizedly entered into the house of the minor complainant and outraged her modesty, and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. Charge-sheet has been filed and no useful purpose will be served by detaining the applicant in jail. The applicant is in jail since 6-9-2015.
4. On the other hand, learned State counsel opposes the application.

5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, role of the present applicant, his pretrial detention, charge-sheet has been filed and no custodial interrogation of the applicant is required, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-  
(Sanjay K. Agrawal)  
Judge