

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 675 of 2016**

Roshan Patil S/o Kanti Lal Patil Aged About 34 Years Teacher,
Panchayat Primary School, Kunjkanhar, Police Station Sitagaon,
District Rajnandgaon, Permanent R/o Ramadhin Marg, Gali No. 1,
Ward No. 25, Rajnandgaon Chhattisgarh, Revenue District & Sessions
Division Rajnandgaon Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : - District Magistrate, Rajnandgaon
Chhattisgarh

---- Respondent

For Applicant:

Mr. P.K.C. Tiwari, Sr. Advocate along
with Mr. Kripesh G. Kela, Advocate

For State:

Mr. Ramakant Mishra, Dy. Advocate
General

Hon'ble Shri Justice P. Sam Koshy**Order on Board****12.02.2016**

1. This is second bail application filed under Section 439 of Cr.P.C. for grant of bail to the Applicant who is in jail since 28.03.2014 in connection with Crime No. 04/2014 registered at Police Station – Sitagaon, District Rajnandgaon (C.G.) for the offence punishable under Section 354 of I.P.C. and Section 8 of Protection of Children from Sexual offence Act 2012.

2. The first bail application was rejected by this Court on 26.06.2014.

3. Learned Senior Advocate for the Applicant submits in the instant case inspite of the fact that the Applicant is in jail for the last 22 months, till date only nine witnesses have been examined out of 21 witnesses.

4. Learned Senior Advocate further draws our attention towards the deposition of P.W. 1, Ku. Sangeeta stating that there was a meeting held in the village, wherein it was resolved to falsely implicate the Applicant so as to get him transferred from the said place and that she had deposed only what she was instructed to say by the villagers and other members of the school.

5. Taking into consideration the averments in the cross-examination and also considering the fact that the Applicant is in jail for almost two years, and the charge against the Applicant being under Section 354, this Court is of opinion that the present is a fit case to release the Applicant on bail.

6. Accordingly, the present bail application is allowed. It is directed that in case if the Applicant furnishes a personal bond for a sum of **Rs.25,000/- with one surety** of the like amount to the satisfaction of the concerned trial Court, then he shall be released on bail. The Applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(P. Sam Koshy)
JUDGE