

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C.No.1071 of 2016**

Dhananjay Halba S/o Pritam Halba, aged about 23 years, R/o Village Ranitarai, Police Station Suregaon, District Balod, Permanent residing of Village Gota Tola, post Gotatola, Police Station Mohla, District Rajnandgaon (CG)

**---Applicant**

**Versus**

State of Chhattisgarh, Through: Station House Officer, police of Police Station-Suregaon, District-Balod (CG)

**---Non-applicant**

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| For Applicant     | : | Mr. Anil Gulati, Advocate       |
| For Non-applicant | : | Mr. Avinash Singh, Panel Lawyer |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**08/03/2016**

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.67/2016, registered at Police Station-Suregaon, District-Balod (CG), for the offence punishable under Section 354 of the IPC and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that on 23.12.2015 the applicant outraged the modesty of the minor complainant and thereby committed the aforesaid offences.
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 24.12.2015

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 & circumstances of the case; nature & gravity of the 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/-