

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1282 of 2016

Yugal Vaishnav, S/o Shivsharan Das Vaishnav, aged about 29 years,
R/o Village Kohka, Tahsil Dongargaon, District Rajnandgaon (C.G.)
---- Applicant

Versus

State of Chhattisgarh, Through the Station House Officer, Police
Station Dongargaon, District Rajnandgaon (C.G.)
---- Non-applicant

For Applicant:	Dr. Shailesh Ahuja, Advocate.
For Non-applicant:	Mr. Suvigya Awasthi, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/03/2016

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.400/2014, registered at Police Station Dongargaon, District Rajnandgaon, for the offence punishable under Section 354 read with Section 34 of the IPC; Sections 4 & 7 of the Protection of Children from Sexual Offences Act, 2012; and Sections 66A & 66D of the Information Technology Act.
2. Case of the prosecution, in brief, is that on 3-12-2014, the applicant outraged the modesty of the minor complainant 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, there is delay of ten days in lodging the FIR. The applicant is in custody since 13-1-2016 and charge-sheet has been filed.

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 applicant, extent of delay in lodging the FIR and pretrial detention of the applicant since 13-1-2016, I am of the view that it is a fit case to grant regular bail to the applicant. 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