

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1374 of 2016**

Rizwan, son of late Rahmat Khan, aged about 18 years, R/o. Talapara,
Near Fazulraja Madarsa, P.S. Civil Lines, Bilaspur, Tahsil and District
Bilaspur (CG)

---Applicant

Versus

State of Chhattisgarh, Through : The Station House Officer, Police
Station Civil Lines, Bilaspur, Tahsil and District Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr. Rajiv Dubey, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

15/03/2016

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.626/2015, registered at Police Station-Civil Lines, District-Bilaspur (CG), for the offence punishable under Sections 354, 354A, 452, 506 & 323/34 of the IPC and Section 4 of the PASCO Act.

2. Case of the prosecution, in brief, is that on 30.9.2015 the applicant and co-accused outraged the modesty of the victim and also sexually assaulted her and thereby committed the offence.

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 23.12.2015 and charge-sheet has already been filed.

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 nature and gravity of the offence, facts & circumstances of the case, role of the present applicant, his pre-trial detention 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.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-