

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1752 of 2016**

Parsu Ram Choudhari, S/o late Shri Nanku Ram, aged about 52 years, Occupation Government Service (Head Master) Caste Chamar, R/o Village Kajuri, P.S. Darima, Tahsil Ambikapur, District Sarguja (CG).

---- Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Darima, Tahsil Ambikapur, District Sarguja (CG).

---- Non-applicant

For Applicant : Shri Jitendra Shrivastava, Advocate
For Non-applicant : Shri Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

30/03/2016**(1)** Heard.

(2) 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 on 29.02.2016 in connection with Crime No.154/2015, registered at Police Station Darima, Ambikapur, Sarguja, for the offence punishable under Section 354 of the Indian Penal Code and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.

(3) Case of the prosecution, in brief, is that the present applicant outraged the modesty of the minor girls, studying in the school in the month of December, 2014 and thereby, committed the aforesaid offences.

(4) Learned counsel appearing for the applicant submits that the applicant has falsely been implicated in the instant case, he has not committed any offence and First Information Report (FIR) has been lodged on 30.11.2015 after lapse of one year of the incident. He further submits that the applicant is in jail since 29.02.2016 and he has already suspended loss for more than one year, therefore, the applicant may be released on bail.

(5) On the other hand, learned counsel appearing for the State opposes the bail application.

(6) I have heard learned counsel appearing for the parties and perused the case diary.

(7) Taking into consideration the facts and circumstances of the case, nature and gravity of offence; and further considering the extent of delay in lodging the FIR and pre-trial detention of the applicant, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(8) Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

(9) Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

L/-