

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.1843 of 2016**

Tejbahadur @ Prashant S/o Ramsharan Chandravanshi, aged about 19 years 7 months, Occupation-Student, R/o Village – Birkona, Police Station-Pipariya, Civil and Revenue District-Kabirdham (CG)

---Applicant

Versus

State of Chhattisgarh Through–Station House Officer, Police Station – Kawardha, District-Kabirdham (CG)

---Non-applicant

For Applicant	:	Mr.Dharmesh Shrivastava, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

06/04/2016

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.75/2016, registered at Police Station-Kawardha, District-Kabirdeham (CG), for the offence punishable under Sections 354-D & 294 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 the applicant followed the victim and attempted to contact her to foster personal interaction repeatedly despite a clear indication of disinterest by the victim 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 10.3.2016 and charge-sheet has already been filed, 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, 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/-