

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 2170 OF 2016**

Mahendra Singh S/o Heera Sai, aged about 35 years, R/o Village Gopipur, Police Station Surajpur, Tahsil Ramanujnagar, Civil & Revenue District Surajpur (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police of Police Station Surajpur, District Surajpur (C.G.)

---Non-applicant

For Applicant	:	Mr. Anil Gulati, Advocate
For Non-applicant	:	Mr. Aditya Sharma, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****25/04/2016**

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. 107/2016, registered at Police Station Surajpur, District Surajpur (C.G.), for the offence punishable under Sections 456, 354 of Indian Penal Code and Section 8 of Protection of Children from Sexual Offences Act.

2. Case of the prosecution, in brief, is that, on 03/03/2016 at 9.00 P.M. applicant entered into house of minor victim/complainant and out raised her modesty and thereby committed aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in this case. He would further submit that there is delay of two days in lodging FIR. He would lastly submit that applicant is in jail since 29/03/2016 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 and circumstances of the case; further taking into consideration the nature and gravity of offence; extent of delay in lodging FIR; role of the applicant and applicant is in jail since 29/03/2016, this Court is of the opinion that present is the 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 applicant shall be released on bail on 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