

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M. Cr. C. No. 2300 OF 2016**

Ravi Kumar S/o Dayaram, aged about 20 years, R/o Darri Dem, Near Bijli Office, Korba, Tahsil/Distt. -Korba (C.G.)

---Applicant**Versus**

State of Chhattisgarh, Through P.S. Kotwali, Distt. Korba (C.G.)

---Non-applicant

For Applicant	:	Mr. Sameer Singh, Advocate
For Non-applicant	:	Mr. Suvigya Awasthi, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****10/05/2016**

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. 115/2016, registered at Police Station Kotwali, Distt. Korba (C.G.), for the offence punishable under Sections 363, 365, 354 of the Indian Penal Code and 8 of the Protection of Children from Sexual Offence Act.
2. Case of the prosecution, in brief, is that, applicant and

other co-accused person abducted minor complainant and other co-accused person outraged her modesty on 04/03/2016 and wrongfully confined her.

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 no allegation of outraging modesty of complainant against the applicant. He would lastly submit that applicant is in jail since 10/03/2016 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; role of the applicant; defence of the applicant and pretrial detention of the applicant, 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