

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1821 of 2017**

- Teejram Kewat S/o Dewar Kewat, Aged About 24 Years R/o Village Mirchid, Police Station Bilaigarh, Civil And Revenue District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through, The Station House Officer, Police Station Bilaigarh, Civil And Revenue District Baloda Bazar- Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri JR Verma, Advocate
For Respondent/State	: Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****24.4.2017**

1. Heard the matter finally.
2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.67/2017 registered at Police Station Bilaigarh, Distt. Baloda Bazar, Bhatapara (CG) for the offence punishable under Sections 354, 294, 506/34, 341 & 323 IPC and Sections 8, 10 of the Protection of Children from Sexual Offences Act, 2012.
3. As per case of the prosecution, the applicant and other co-accused gave threat and also used criminal force to the minor

prosecutrix and thereafter assaulted the family members of the prosecutrix.

4. Learned counsel for the applicant submits that the applicant is in detention since 18.2.2017. Charge sheet has been filed before the J.M.F.C., Bilaigarh, District Baloda Bazar, Bhatapara. He submits that the applicant is the first offender and there is no earlier criminal antecedent against him, the trial may take some time, therefore he may be enlarged on bail.

5. On the other hand, learned counsel for the State opposes the bail application. However, he fairly conceded that there is no earlier criminal antecedent of the applicant.

6. I have heard the counsel appearing for the parties and perused the material.

7. On due consideration, though the entire allegations against the applicant are material, but as the applicant is first offender and he is in jail since 2 months and 6 days, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on bail.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.30,000/- with one surety in the like sum to the satisfaction of J.M.F.C., Bilaigarh, District Baloda Bazar, Bhatapara for his appearance before the said trial Court as and when directed.

10. It is made clear that this order granting bail to the applicant shall stand cancelled automatically without reference to the Bench by the Court below if (i) the trial Court finds that the applicant suppressed filing or pendency of any other application for grant of bail before this Court or the Hon'ble Apex Court intentionally; (ii) the applicant does not cooperate in the trial; (iii) the applicant is found to be involved in any offence of the like nature; and (iv) the trial Court finds that the applicant remains absent without any sufficient and cogent reason. If bail is cancelled automatically in view of the above , the Court below may proceed further under the provisions of law, under intimation.

Certified copy as per rules.

**Sd/
(Chandra Bhushan Bajpai)
JUDGE**