

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.3072 of 2017**

Aneesh Dubey S/o Late Shivkumar Dubey Aged About 20 Years R/o Village Kadari, Ward No. 05, Thana Ratanpur Tahsil And District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Ratanpur, District Bilaspur, Chhattisgarh.

---- Non-Applicant

For Applicant:	Shri Krishna Kumar Khatri, Advocate.
For State/Non-Applicant:	Shri Lav Sharma, Panel Lawyer.

Single Bench: Hon'ble Shri Prashant Kumar Mishra, J
Order On Board

23.5.2017

1. This is the first bail application under Section 439 Cr.P.C for grant of regular bail as the Applicant is arrested in connection with Crime No.69/2017 registered at Police Station – Ratanpur, District Bilaspur (CG) for the offence punishable under Sections 354 of IPC and 8 of Protection of Children from Sexual Offences Act, 2012.
2. The Applicant has allegedly demanded sexual favour by offering money to the prosecutrix, aged about 15 years.
3. Learned Counsel for the Applicant submits that the Applicant has not even touched the girl and therefore, the offences are not made out. He submits further that there are no criminal antecedents against him and is therefore liable to be enlarged on bail.
3. On the other hand, learned counsel for the State opposed the prayer for

bail.

4. Having considered the facts and circumstances of the case, the nature of allegations, the fact that the Applicant is in jail since 24.03.2017 and that there are no previous criminal antecedents against him, this Court is inclined to release the Applicant on bail. Accordingly, the bail application filed under Section 439 of the Cr.P.C is allowed and 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. He shall also appear before the trial Court as and when directed. It is made clear that if the Applicant involves himself in the offence of similar nature in future, this order granting bail to the Applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Prashant Kumar Mishra)
Vacation Judge

Priya