

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.276 of 2017

Arwind Patwa, S/o Shri Bigan Patwa, aged about 38 years, R/o Village Mahuli, Police Station Trikunda, District Balrampur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Trikunda, District Balrampur (C.G.)

---- Non-applicant

For Applicant:	Mrs. Hamida Siddiqui, Advocate.
For Non-applicant:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

27/02/2017

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing him on regular bail during trial in connection with Crime No.4/2016, registered at Police Station Trikunda, Distt. Balrampur, for the offence punishable under Sections 354A of the IPC and 8 of the Protection of Children from Sexual Offences Act.
2. This is the second bail application. First application was dismissed with liberty to file after examination of the victim and one witness Anita Bharti.
3. Case of the prosecution, in brief, is that the applicant outraged the modesty of the complainant on 13-2-2016.
4. Learned counsel for the applicant submits that the victim / complainant and Anita Bharti have been examined and they have not made any statement against the applicant. The applicant is in jail since 18-2-2016. Charge-sheet has been filed and no custodial

interrogation of the applicant is required.

5. On the other hand, learned State counsel opposes the application.
6. I have heard learned counsel for the parties and perused the case diary.
7. Taking into consideration the nature and gravity of offence and pretrial detention of the applicant, without commenting on merits, I am of the view that it is a fit case to grant regular bail to the applicant. Accordingly, the application is allowed.
8. It is, therefore, directed that the applicant 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 Court for his appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge