

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 8017 of 2017**

Satish Kumar @ Shani Sahu, S/o. Shri Buddheshvar Prasad Sahu, Aged About 19 Years, R/o. Village Samdeel, P.S. -Takhatpur, District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh. Through Its District Magistrate Bilaspur By P. S. Incharge, Takhatpur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vinod Tekam, Advocate
For Respondent/State	: Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**26/02/2018**

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.491/2017, registered at Police Station – Takhatpur, District – Bilaspur (C.G.) for the offence punishable under Section 354 of the Indian Penal Code and Section 8 of Langik Apradho Se Balko Ka Sanrakshan Adhiniyam 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 30.11.2017, he is aged about 19 years and a student of Class-11th in school. No offence is made out against him on the basis of the material present in the charge-sheet, filed against him, therefore, it is prayed that the applicant may be enlarged on bail.
3. On the other hand, learned counsel for the State opposes the bail

application and the submission made in this respect.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. Brief facts of the case are that the victim aged about 16 years, lodged FIR in Police Station – Takhatpur, stating that on the date of incident, when she was on her way to home from school, the applicant caught hold of her hand and pressed her breast and said that why she does not want to talk to him. On raising alarm by the victim, the applicant run away from the spot.
6. Considered the submissions made and the contents of the case diary. As the applicant is student of Class-11th and aged about 19 years and the trial against him is likely to take sometime for its completion, and presence of the applicant before the trial Court can be ensured by imposing conditions, hence for this reason, this Court is of the opinion that present is a 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 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, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge