

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.381 of 2018**

Pramod Tamrakar S/o Santosh Tamrakar, Aged 21 years, R/o Saktinagar,
Ward No.37, Zone-01 Sector-11, Khursipar, Bhilai, Distt. Durg (CG)

---Applicant

Versus

State of Chhattisgarh through SHO, Police Station Chhaoni, Distt. Durg
(CG)

---Non-Applicant

For Applicant	:	Mr.Naveen Shukla, Advocate
For Non-applicant	:	Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

16/3/2018

1. This is the first bail application 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.437/2017, registered at Police Station-Chhaoni, District-Durg (CG), for the offence punishable under Sections 456, 341 and 354 of the IPC and Section 7 & 8 of the POSCO Act.

2. Case of the prosecution, in brief, is that the applicant outraged the modesty of minor complainant and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been implicated in crime in question. He is in jail since 27.11.2017 and charge-sheet has already been filed. Therefore, he be released on regular 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 & circumstances of the case, nature & gravity of the offence, role of the present applicant in crime in question, pre-trial detention of the applicant and the fact that charge-sheet has already been filed, 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, subject to the condition that he will not involve similar kind of activity. If he is found involved, the prosecution would be at liberty to make an application for cancellation of his bail.

8. 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, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-