

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 195 of 2018**

Sanju Yadav, S/o Gokul @ Chutu Yadav, aged about 19 years, R/o Chhuikhadan, Diprapara, Ward No. 8, Post Office and Police Station – Chhuikhadan, District Rajnandgaon, (C.G.)

----Applicant

Versus

The State of Chhattisgarh, through the Station House Officer, Police Station – Chhuikhadan, District Rajnandgaon (C.G.)

---- Non-applicant

For Applicant	:	Mr. Shivendu Pandya, Advocate.
For Respondent/State	:	Ms. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****05/03/18**

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.255/2017, registered at Police Station- Chhuikhadan, District Rajnandgaon (C.G.) for the offence punishable under Sections 354(D)(1) of Indian Penal Code and 11 & 12 of the Protection of Children from Sexual Offences Act, 2012
2. Case of the prosecution, in brief, is that on 23.09.2017 the present applicant has sexually harassed the prosecutrix and also outraged her modesty and thereby committed an offence under the aforesaid Sections.
3. Learned counsel for the applicant would submit that the applicant has falsely been implicated in crime in question. He would also submit that the

applicant is in jail since 26.10.2017 and charge-sheet has already been filed, and no useful purpose will be served in detaining him in jail, therefore, he may 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; further taking into consideration the nature & gravity of the offence; role of the present applicant; statement of the applicant and the fact that he is in custody since 26.10.2017, 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 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