

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 1135 of 2018**

Rajendra Mishra S/o Omkar Mishra, Aged about 30 years, R/o Mahatma Gandhi Nagar, Bhilai , Thana – Chhawani, District Durg (C.G.)

---- Applicant

**Versus**

State of Chhattisgarh, Through : Thana - Chhawani, District Durg (C.G.)

---- Non-applicant

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| For Applicant           | : | Mr. Sameer Singh, Advocate. |
| For Non-applicant/State | : | Mr. Ashish Surana, P.L.     |

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order On Board**

**09/04/18**

1. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant who has been arrested in connection with Crime Nos. 593/2017 registered Police Station Chhawani, District Durg (C.G.) for the offence punishable under Sections 354 & 323 of the IPC and Section 8 of the Protection of Children from Sexual Offence Act.
2. Case of the prosecution in brief is that the applicant was trying to outrage the modesty of a minor girl aged about 9 years and also caused simple hurt to her and thereby committed the aforesaid offence.
3. Learned counsel for the applicant would submit that the applicant has not committed any offence and has been falsely implicated in crime in question. The applicant is in jail since 17-11-2017, therefore, he may be granted regular bail.

4. On the other hand, learned counsel for the State while opposing the bail application would submit that offence is said to have been committed in the School premises, the victim is aged about 9 years and her modesty has been outraged.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence and after considering age of the victim, I do not consider it a fit case for grant of bail to the applicant. Accordingly, the bail application is rejected.

**Sd/-**  
**(Sanjay K. Agrawal)**  
Judge