

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1559 of 2018**

Dinesh Kumar Yadav S/o Jugat Ram Yadav Aged About 20 Years By Caste Yadav, R/o Village Kedaikhar Darri, Police Station Darri, District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station Darri, District Korba, Chhattisgarh.

---- Respondent

For Applicant : Mr. Nitesh Shrivastava, Advocate

For State/respondent : Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**08/05/2018**

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.157/2017, registered at Police Station – Darri, District – Korba (C.G.), for the offence punishable under Section 354 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offence Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this. Applicant is in jail since 23.10.2017. Charge-sheet in this case has been filed after completion of investigation and the trial is likely to take sometime for its conclusion, hence 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. It is submitted

that looking to the allegation made against the applicant by the victim of this case, he is not entitled for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. As per the prosecution case, on the date of incident, this applicant took the minor victim aged about 6 years to a lonely place and took out of his own cloths and then by physically he outraged the modesty of the victim. After lodging of FIR, case has been investigated and the charge-sheet has been filed.
6. Considered on the submissions made and the contents of the case diary. Considering all the material present in the case diary and looking to the fact that the applicant is in jail since 23.10.2017, trial against him is likely to take sometime, no purpose would be served, if the, applicant is kept in detention, 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