

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7587 of 2017**

Dileshwar Paikra S/o Shri Sundar Ram, Aged About 22 Years R/o Village Belkona P.S. Shankargarh District Balrampur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Shankargarh District Balrampur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Dheerendra Pandey, Advocate.
For the Respondent/State : Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****31.01.2018**

Heard.

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. 32 of 2017, registered at Police Station Shankargarh, District Balrampur, Chhattisgarh for the offence punishable under Sections 294 and 354 of the Indian Penal Code and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 22.04.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. The applicant is ready to abide by all the conditions imposed on him. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The allegation against the applicant is that on the date of incident the applicant used abusive words for the victim and thereafter, caught hold of her hand and started pulling her to take her to his own house saying that he will put vermilion on her head. The victim, however, escaped and thereafter, the FIR was lodged.
6. Considering the submissions made and the contents of the case diary, and looking to the facts that the applicant is a local resident of District Balrampur and there shall be no difficulty in his availability during trial, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.
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 her 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 her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge