

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4588 of 2018**

Dileshwar Kenwat S/o Akadashi Kenwat Aged About 21 Years R/o- Village Parsada, P.S.- Hasaoud And Tahsil- Jaijaipur, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- District Magistrate Janjgir, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ishwar Jaiswal, Advocate.
For the Respondent/State	:	Shri Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****17.07.2018**

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.93 of 2018, registered at Police Station – Hasaoud, District – Janjgir-Champa, Chhattisgarh for the offence punishable under Sections 354, 323 and 506/ 34 of the Indian Penal Code and Section 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 27.4.2018 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the

Court by the prosecution. The FIR lodged is delayed. 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. It is submitted that the evidence is present against the applicant regarding the offence committed by him. Hence, he is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, the applicant caught hold of the hand of the victim and kissed her and thereafter, when the father of the victim complained about it to the applicant, he was assaulted, injured and threatened by the applicant. Hence, this case.

6. Considering the submissions and the contents of the case-diary, taking into consideration the fact that the case is before the trial Court and the trial of the case is likely to take some time for its final disposal, the 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 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. In case any default is committed by the applicant/s in appearing

before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi