

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4632 of 2018**

Arvind Singh S/o Ramswarup Singh Aged About 20 Years Caste- Gond, R/o- Village Nayanpur, P.S. And Tahsil- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Station House Officer, Police Station Surajpur, District- Surajpur, Chhattisgarh., District : Surajpur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Shakti Raj Sinha, Advocate.
For the Respondent/State : Shri Neeraj Mehta, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****23.07.2018**

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. 140 of 2017, registered at Police Station Surajpur, District Surajpur, Chhattisgarh for the offence punishable under Sections 363 and 354 of the Indian Penal Code and Sections 7 and 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 24.04.2018 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. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsels for the State oppose the bail application and the submissions made in this respect.

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

5. According to the prosecution case, on 21.4.2018 at about 12:30 am in the midnight, it is alleged that the applicant caught hold of the victim and was trying to take her by force, when this incident was intervened by complainant – Mamta because of which, the applicant released the victim and fled from the spot.

6. Considered the material present in the case-diary and looking to the age of the applicant and also the fact that there is no likelihood of his absconding during the pendency of trial against the applicant, I am of the considered view that in this case the applicant deserves to be enlarged on 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 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