

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7849 of 2018**

Raja @ Sohel Khan, S/o. Abdul Aziz Khan, aged about 21 years, residing at Kumharpara Village Samabalpur, P.S. Bhanupratappur, District North Bastar, Kanker (C.G.)

----Applicant

Versus

State of Chhattisgarh- Through : The Police Station Bhanupratapur, District North Bastar, Kanker (C.G.)

---- Non-applicant

For Applicant	: Shri P.K. Tulsyan, Advocate
For State	: Shri Ashish Surana, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

30/10/2018

Heard.

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 41/2018 registered at Police Station – Bhanupratapur, District North Bastar, Kanker for the offences punishable under Sections 363, 354, 323 of the Indian Penal Code and Sections 7 & 8 of the Protection of Children From Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that present applicant not only kidnapped the minor prosecutrix but also outraged her modesty and thereby committed the aforesaid offences.
3. Learned counsel appearing for the applicant would submit that the applicant is has falsely been implicated in the crime in question as he has not committed any offence. He would further submit that applicant is languishing in jail since 3.5.2018 and the charge sheet has already been filed and no useful purpose would be served in further detaining him in jail and, therefore, the present applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence and further considering the pre-trial detention of the applicant and the fact that charge sheet has already been filed; this court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-

