

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 540 of 2019**

Anil Kumar Patel, S/o. Kaushal Prasad Patel, Aged About 32 Years, Caste - Kurmi, R/o Janakpur, Police Station - Janakpur, Tahsil - Bharatpur, District Korla Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station - Janakpur, District Korla Chhattisgarh.

---- Respondent

For Applicant	: Mrs. Anusuiya Rajput, Advocate
For Respondent	: Mr. Rahim Ubawani, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****09/04/2019**

1. Apprehending arrest in connection with Crime No.27/2019, registered at Police Station – Janakpur, District – Korla (C.G.) for offence punishable under Section 354 (A) (D) of the Indian Penal Code, Section 12 of Protection of Children from Sexual Offences Act, 2012 and Section 75 of Juvenile Justice (Care and Protection of Children) Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary. All the offences registered against the applicant are bailable, in nature even then the Court below has rejected the application for grant of anticipatory bail to the applicant. Therefore, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail submitting that all the offences are bailable, therefore, this application is not maintainable.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. The offences Section 354 (A) & (D) of the Indian Penal Code, Section 12 of Protection of Children from Sexual Offences Act, 2012 and Section 75 of Juvenile Justice (Care and Protection of Children) Act are punishable up to three years rigorous imprisonment maximum, therefore, according to the schedule of Criminal Procedure Code, these offences are bailable. Hence for this reason, this application is not maintainable. .
6. The applicant is however at liberty to surrender himself before the Court below and file an application for grant of regular bail and the trial Court shall consider and decide the same keeping in view the aforesaid observation.
7. With this observation, the application is disposed of accordingly.

Sd/-
(Rajendra Chandra Singh Samant)
Judge