

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5018 of 2019**

Yogendra Joshi S/o Basant Ram Joshi Aged About 45 Years Aawas Para
Birgudi Police Station Sihawa District Dhamtari Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Police Station Sihawa, District Dhamtari
Chhattisgarh.

---- Respondent

For the Applicant : Shri Saurabh Dangi, Advocate.
For the Respondent/State : Shri Neeraj Pradhan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****28.08.2019**

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.63 of 2019, registered at Police Station – Sihawa, District – Dhamtari, Chhattisgarh for the offence punishable under Section 354 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 16.7.2019 and has been falsely implicated in this case. There is no requirement of his detention for the purposes of investigation. This applicant has not committed any offence. 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. According to the prosecution case, this applicant is a health-worker. On pretext of doing medical checkup on the victim of this case, he by use of physical force outraged her modesty. Hence, this case.

6. Considering the fact that the investigation is near completion and there is no further requirement of detention of the applicant in this case, therefore, I feel inclined to grant bail to the applicant in this case.

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