

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2899 of 2020**

Afroj Khan S/o Late Mumtaz Khan Aged About 22 Years R/o Pragati Nagar
Charoda, P.S. Bhilai 3, District Durg Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The District Magistrate, Durg, District Durg
Chhattisgarh.

---- Respondent

For the Applicant : Shri Suresh Kumar Verma, Advocate.
For the Respondent/State : Shri Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.06.2020**

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.41 of 2020, registered at Police Station – Kumhari, District – Durg, Chhattisgarh for the offence punishable under Sections 363 and 354, 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 18.2.2020 and has been falsely implicated in this case. The co-accused in this case has been granted regular bail by the Co-ordinate Bench of this Court. Hence, on the ground of parity, 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 and the co-accused both have threatened the victim to upload her obscene photographs in the face-book and further by administering some intoxicated substance to the victim the applicant and the other outraged her modesty physically. Hence, this case.
6. Considering the fact that the investigation is complete and the case is now pending for trial and also the fact that the co-accused has been granted regular bail by the Co-ordinate Bench of this Court, I am of the considered view that the applicant in this case is entitled for grant of regular 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 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