

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7078 of 2020**

Ashok Chauhan S/o Karam Singh Chauhan, Aged About 22 Years R/o Village Dholnara, Police Station & Tahsil Tamnar, District Raigarh, Civil and Revenue District Raigarh, Chhattisgarh.

---- Applicant**Versus**

The State Of Chhattisgarh Through Officer-in-charge Police Station Tamnar, District Raigarh, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ashutosh Mishra, Advocate.
For the Respondent/State	:	Shri Baldev Prasad Banjare, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****09.11.2020**

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.251 of 2020, registered at Police Station – Tamnar, District – Raigarh, Chhattisgarh for the offence punishable under Sections 354 and 354-D of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 21.09.2020 and has been falsely implicated in this case. No case is made out against the applicant and totally a false FIR has been lodged against this applicant. Hence, it is prayed that the applicant be enlarged on bail during the pendency of trial.

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. As per the prosecution case, it is alleged that the applicant followed the minor victim and then expressed his love for her, caught hold of her hand and asked for her mobile number. Hence, this case.
6. Considered the submissions and the facts present in this case. No purpose would be served if the applicant is kept in detention for the whole period of trial, hence, this application deserves to be allowed.
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