

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1250 of 2021**

Bunty Sarthi, S/o. Laxman, aged about 19 years, R/o. Village- Kunjnagar, Police Station- Jainagar, Tahsil and District- Surajpur, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh, Through : Station House Officer, Police of Police Station- Jainagar, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anil Gulati, Advocate

For Respondent/State : Mrs. Beenu Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**16/02/2021**

1. Heard.
2. Admit.
3. At the consent of both the parties, the matter is heard finally.
4. 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.226/2020, registered at Police Station – Jainagar, District – Surajpur (C.G.) for the offence punishable under Section 454, 354, 392 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.
5. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case because of the

previous enmity with the complainant side. He is in jail since 28.10.2020. Charge sheet in this case has been filed after completion of investigation. Hence, it is prayed that the applicant may be released on bail.

6. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is clear and categorical evidence against this applicant for commission of offence as alleged, therefore, he may not be released on bail.
7. I have heard the learned counsel for both the parties and perused the case diary.
8. According to the prosecution case, it is alleged that this applicant committed the house trespass in the house of the minor victim made proposition of his love and then by use of physical force outraged her Modesty. The minor victim escaped from his clutches and was making a call on her mobile phone, then this applicant snatched her mobile phone and run away.
9. Considered on the submissions. For the reason that charge-sheet in this case has been filed and there appears to be no specific reason to keep the applicant in continued detention till the conclusion of trial, hence for this reason, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
10. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

11. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram