

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.6114 of 2021

- Amit Banjare S/o Dinesh Banjare Aged About 21 Years R/o Ward No. 5, Bajrang Chowk, Abhanpur Basti, Police Station Abhanpur, District Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station - Abhanpur, District Raipur, Chhattisgarh

---- Non-applicant

For Applicant : Mr. Purnendra Khichariya, Advocate.

For Non-applicant/State : Mr. Ajay Kumrani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-09-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicant has been arrested on 03.05.2021, in connection with Crime No.175/2021 registered at Police Station- Abhanpur, District- Raipur, C.G. for offence punishable under Section 354, 354(D), 341 and 506 of I.P.C. and Section 12 of POCSO Act.
2. It is submitted by the learned counsel for the applicant that this applicant has been falsely implicated in this case. The applicant is in jail since 03.05.2021. Charge-sheet has been filed. F.I.R. is lodged because of the previous enmity which is totally false. Hence, it is prayed that this applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application

and submits that there is clear evidence present against this applicant regarding commission of offence registered against him, hence, the application may be rejected.

4. Notice was issued to the complainant which is returned served today but there is no appearance and no representation from complainant's side.
5. Heard learned counsel for the parties and perused the case diary.
6. According to prosecution case, on the date of incident, the minor victim of age below 18 years was on her way to home, the applicant stopped her and caught hold of her hand and thus, he intentionally outraged her modesty. The applicant also threatened the minor prosecutrix. Hence, this case.
7. Considered on the submissions. As the case is not taken up for trial and no purpose would be served, if the applicant is kept in continuous detention, therefore, I feel inclined to allow this application.
8. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge