

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 6449 of 2021**

Avtar Singh Paneshar, S/o. Jashbir Singh, aged about 29 years, R/o. 16/28 B.S.U.P. Colony, Khalbada, Saddu, Police Station Vidhansabha, Raipur, District Raipur, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through : Police Station Vidhansabha, Raipur, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Jaiswal, Advocate
For Respondent/State	: Mr. Amit Verma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**28/09/2021**

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.94/2021, registered at Police Station – Vidhansabha, Raipur, District – Raipur (C.G.) for the offence punishable under Section 354 of the Indian Penal Code and Section 7 & 8 of Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 11.03.2021. Charge-sheet in this case has been filed. Hence, it is prayed that the applicant may be released on bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Notice issued to the complainant has been returned served but there is no appearance and no representation.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per the prosecution case, it is alleged that on the date of incident, this applicant by making use of physical force outraged the modesty of the minor victim age below 16 years by touching her body inappropriately, regarding which FIR has been lodged.
7. Considered on the submissions. As the case is now pending for trial and no purpose would be served if the applicant is kept in detention during the pendency 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.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
9. 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