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**(2019) 05 CHH CK 0037**

**Chhattisgarh High Court**

**Case No:** Miscellaneous Criminal Case (MCRC) No. 3345 Of 2019

Kamlesh Kedar

APPELLANT

Vs

State Of Chhattisgarh

RESPONDENT

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**Date of Decision:** May 24, 2019

**Acts Referred:**

- Code Of Criminal Procedure, 1973 - Section 439
- Indian Penal Code, 1860 - Section 354A

**Hon'ble Judges:** Rajani Dubey, J

**Bench:** Single Bench

**Advocate:** Vaibhav Goverdhan, Anand Verma

**Final Decision:** Allowed

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**Judgement**

Rajani Dubey, J

1. Heard.

2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.273/2013, registered at Police Station Gandhinagar, District Ambikapur Surguja (CG) for the offence punishable under Section 354A of IPC.

3. The case of the prosecution, in brief, is that on 15.9.2013 at about 10:00 p.m., when the prosecutrix was in her house, the MCRC No. 3345 of 2019 applicant tried to outrage her modesty and thereby, committed the offence.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. The applicant is in jail

since 8.4.2019 and the charge sheet has already been filed. He prays for releasing the applicant on regular bail.

5. On the other hand, learned Counsel for the State opposes the bail application.

6. Having considered the nature and gravity of the offence and the facts and circumstances of the case, I am of the opinion that present is a fit case

to enlarge the applicant on regular bail.

7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of

Rs.25,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every

date given by the said Court.

8. Certified copy as per rules.