NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3988 of 2018

Vinod Mogre @ Nanu S/o Rajesh Mogre, aged about 22 years, R/o Near Bijli Office, Sanjay Nagar Ward 14, Kumhari, District- Durg (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Thana Kumhari, District- Durg (C.G.).

---- Respondent

For Applicant	:	Mr. Mateen Siddique, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

28/06/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 20/2017 registered at Police Station- Thana Kumhari, District- Durg (C.G.) for the offence punishable under Sections 363, 376 & 511 of IPC and under Section 18 of the POCSO Act.

2. As per prosecution story it is alleged that on 28/01/2017 at about 8:00 am, when the prosecutrix, aged about 12 years had gone to the house of the applicant for picking flowers, at that time the applicant came there, took her inside his house and put off her clothes. The prosecutrix ran way from there and matter was reported. The applicant was arrested on 31/01/2017.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present

case due to previous enmity. He further submits that the applicant is having no criminal antecedent, charge-sheet has been filed, the applicant is in custody since 31/01/2017 and the trial will likely to take some time, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.

5. I have heard learned counsel for both the parties.

6. Considering the above facts and circumstances of the case, particularly considering that charge-sheet has been filed, the applicant is in custody since 31/01/2017 and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.

7. Accordingly, the bail application is allowed.

8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 10,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
Judge
Arvind Singh Chandel

Rahul