

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3992 of 2018

Karamdayal Singh Kherwar S/o Vinay Singh, aged about 20 years R/o Village-Bhawarmai, Police Station- Ramanujganj, Distt. Ramanujganj (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Police Station- Ramanujganj, Distt. Balrampur-Ramanujganj (C.G.).

---- Respondent

For Applicant	:	Mr. Akath Kumar Yadav, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

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. 168/2017 registered at Police Station- Ramanujganj (C.G.) for the offence punishable under Sections 354 & 452 of IPC and under Sections 7 & 8 of the POCSO Act.
2. As per prosecution story on 20/12/2017 at about 6:30 pm, the prosecutrix, aged about 15 years was alone in her house. It is alleged that the applicant/accused entered into her house and used criminal force with an intention to outrage her modesty. Matter was reported and the offence was registered. The applicant was arrested 22/12/2017.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present

case. He further submits that charge-sheet has been filed, the applicant is in custody since 22/12/2017 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 22/12/2017 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