

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4482 of 2018

- Anil Kumar @ Annu Jhariya S/o Jham Singh Jhariya Aged About 21 Years At Present R/o Village Manpur, Pikri Ward No.2, House Of Santu Verma, Near Shiv Temple, Police Station- Bemetara, District- Bemetara, Chhattisgarh, Permanent Resident Of Village- Bhua Bichhiya, Khairmai Mohalla, Police Station- Bhua Bichhiya, District- Mandla (M.P.)

---- **Petitioner**

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Bemetara, District- Bemetara, Chhattisgarh

---- **Respondent**

For Applicant

Shri Vipin Singh, Advocate

For Respondent-State

Ms. Smita Ghai, PL

Hon'ble Justice Shri Rajendra Chandra Singh Samant

Order On Board

11/07/2018

1. The applicant has preferred this first bail application under Section 439 of CrPC, as he is arrested in connection with Crime No.121/2018, registered at Police Station Bemetara, District Bemetara (C.G.), for the offence punishable under Sections 354 (A), 294 and 506 of IPC and Section 8 of the POCSO Act, 2012.
2. It is submitted that the applicant has been falsely implicated in the present case and he is in jail since 04.03.2018. Hence, no case is made out against him. The charge sheet has already been filed after completion of the investigation.

3. Learned State counsel opposes the bail application and submits that there are direct allegations against the applicant, therefore, the applicant is not entitled to be released on bail.
4. According to the prosecution case, the applicant used to harass and abuse the victim of this case of aged about 14 years on number of occasions. On the date of incident, the applicant after abusing the victim caught hold her hands and tried to drag her in his house with an intention to outrage her modesty. After commission of an offence, the FIR was lodged.
5. After considering the materials present in the case diary and for the fact that the trial make take some time, I am of this view that it is a fit case for grant of bail to the applicant. 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 for 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge