

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5336 of 2018

- Vimal Sarthi S/o Janmastami Sarthi Aged About 29 Years R/o Jogi Dipa Raigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Thana In-Charge City Kotwali, Raigarh District Raigarh Chhattisgarh

---- Respondent

For Applicant : Shri Rajendra Tripathi, Advocate.
For Respondent/State : Shri Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 660/2018, registered at Police Station Kotwali District Raigarh (C.G.) for the offence punishable under Sections 354 & 509 of the IPC and Section 8 of the POCSO Act.
2. As per the prosecution story, it is alleged that on 04-06-2018, prosecutrix, aged about 16 years, was coming towards her home from the shop. The applicant was sitting near the bridge, he abused the prosecutrix and caught hold of her hand with bad intentions. When she screamed, applicant assaulted her, due to which she sustained some injuries. On the basis of said story, a report has been lodged against the applicant and he has been arrested on 11-06-2018.
3. Shri Rajendra Tripathi, learned counsel appearing on behalf of

the Applicant submits that applicant is innocent and he has been falsely implicated in the present case, he is in custody since 11-06-2018, charge-sheet has already been filed and trial will likely to take some time, therefore, applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the fact that the applicant is in custody since 11-06-2018 and the charge-sheet has already been filed and 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. 20,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge