

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5570 of 2018**

- Ajit Kumar Nishad, S/o Late Santu Lal, Aged About 35 Years, R/o- Near Choksay College, Lal Khadan Bilaspur, District- Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh, Through- The Police Station Torwa, District- Bilaspur, Chhattisgarh

---- Respondent

For Applicant	: Shri Pravin Kumar Tulsyan, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**28/08/2018**

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. 229/2018, registered at Police Station - Torwa, District – Bilaspur (C.G.) for the offences punishable under Sections 456, 354, 354(A) of the IPC Act and Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.
2. As per the prosecution story, prosecutrix who at the time of the said offence was aged about 17 years eight months, alleged that on 03.06.2018 at about 1.00 a.m. she was sleeping in her room along with her maternal uncle (*Mama*), at that time the present applicant came and has committed outrage the modesty of the prosecutrix. On the basis of that, a report was lodged and offence has been registered against the present applicant. The applicant is in custody since 04.06.2018.
3. Shri Pravin Kumar Tulsyan, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been

falsely implicated in the present case. He further submits that the present applicant is in custody since 04.06.2018, charge sheet has been filed and trial will likely to take some more time, therefore, he 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 and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution, the detention period of the applicant and the facts that he is in custody since 04-06-2018, charge sheet has been filed, therefore, trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him 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 for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge