

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.6193 of 2018**

Haresh Bisai, S/o Shri Banshilal Bisai, aged about 21 years, R/o Village Bhejripadar, Chowki Bakawand, P.S. Nagarnar, District Bastar (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Chouki Bakawand, P.S. Nagarnar, District Bastar (CG).

---- Non-applicant

For Applicant : Mr. Devershi Thakur, Advocate.

For Non-applicant : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****05.10.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.30/2018 registered in Police Station Chouki Bakawand, P.S. Nagarnar, District Bastar for the offence punishable under Sections 457, 354, 294, 506 of IPC and Section 8 of POCSO Act.
3. Prosecution story in brief is that on 12.03.2018 the prosecutrix was aged about 17 years 08 months. She is resident of village Nagarnar. On 12.03.2018 at about 11:30 pm, the applicant has forcefully entered into the house of prosecutrix and used criminal force upon her to outrage her modesty.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. On the other hand, counsel for the State opposed the bail application. He further submitted that no criminal antecedent reported against the applicant in police case diary.

6. I have heard counsel for the parties and perused the case dairy with utmost circumspection.

7. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that will not involve himself in any of the crime in future, he be released on bail.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-