

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6016 of 2018

- Nand Kumar Banjara S/o Lakhan Lal Banjara Aged About 32 Years R/o- Karpipali, P.S. Kharsiya, District- Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S. Kharsiya, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Shri FS Khare, Advocate.
For Respondent/State : Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/10/2018

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. 423/2018, registered at Police Station Kharsiya District Raigarh (C.G.) for the offence punishable under Section 354, 451 & 323 of the IPC and Section 8 of the POCSO Act.
2. As per the prosecution story, on 23.07.2018 at about 11 AM, prosecutrix a girl aged about 17 years was sleeping in her home, allegedly applicant entered the house of the prosecutrix and caught hold her hand to outrage her modesty, thereafter matter was reported and offence has been registered against the applicant. Applicant is in custody since 28.07.2018.
3. 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 charge-sheet has already been filed, the applicant is in custody since 28-07-2018 and trial will 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 fact and circumstances of the case, particularly, evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, the applicant is in custody since 28-07-2018 and trial will likely to take some time, without further commenting on merits 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 solvent 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