

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6233 of 2018**

Ram Swaroop Sahu, S/o Fudroo Sahu, Aged About 19 Years, R/o- Damroo, Police Station City Kotwali Baloda Bazar, District- Baloda Bazar-Bhatapara, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh, Through- Station House Officer, Police Station City Kotwali Baloda Bazar, District- Baloda Bazar- Bhatapara, Chhattisgarh

---- Respondent

For Applicant	: Shri A.S. Rajput, Advocate.
For Respondent/State	: Shri Umakant Singh Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

26/09/2018

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. 418/2018, registered at Police Station – City Kotwali, Baloda Bazar, Bhatapara (C.G.) for the offences punishable under Sections 354, 452, 506 and 323 of the IPC and Section 4 of the POCSO Act.
2. As per the prosecution story, on 28.07.2018 the complainant who is a girl aged about 17 years lodged an FIR before the Police Station stating that since more than last two months the present applicant entered in her house to outraged her modesty. It was further alleged that on 28.07.2018, when she disclosed this incident to her parents, her mother went to the house of the applicant and he allegedly assaulted her mother. On the basis of the said FIR offence has been registered and the applicant is in custody since 29.07.2018.
3. Shri A.S. Rajput, 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 29.07.2018, charge sheet has been filed and trial will likely to take some more time and there is no previous criminal antecedent of the applicant, 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, that there is no previous criminal antecedent of the applicant and the facts that he is in custody since 29.07.2018, 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