

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6275 of 2018

- Lagansay S/o Ghurwa Ram Choudhary (wrongly mentioned as Dhurwa Ram), caste- Harijan, aged about 26 Years, R/o- Kharsura (Saraipara), Outpost Karanji, District- Surajpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Of Police Station- Vishrampur, District- Surajpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Qamrul Aziz, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

27/09/2018

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. 115/2018, registered at Police Station Vishrampur, District Surajpur (C.G.) for the offence punishable under Sections 452, 354, 354 (A), 354 (घ) of the IPC and Section 8 & 10 of the POCSO Act.
2. As per the prosecution story, applicant used to harass the prosecutrix a girl aged about 15 years. It is alleged that on 03.07.2018 at about 3:00 PM applicant entered the house of the prosecutrix and caught hold her hands and breast with an intention to outrage her modesty and when she resisted he ran away from there. It is further alleged that on 06-07-2018 also, applicant went in front of the house of the prosecutrix and misbehaved her. Report was made by the prosecutrix on 26.07.2018. On the basis of said report offence has been registered against the applicant and he has been arrested on 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 incident has occurred on 03-07-2018 and the FIR was lodged after 24 days i.e. 26.07.2018. 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 and perused the case diary with due care.
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 28-07-2018, charge-sheet has already been filed and 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 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