

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6263 of 2018

- Bhuneshwar @ Bhunu Yadav, S/o Shri Pancham Yadav, aged about 28 years, R/o Bhaibod, Chowki Birejhar, P.S. Kurud, District Dhamtari (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer Police Station Chowki Birejhar, Kurud Civil and Revenue District Dhamtari (C.G.)

---- Respondent

For Applicant	: Shri Umesh Pandey, Advocate.
For Respondent/State	: Shri Vaibhav Goverdhan, 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. 262/2018, registered at Police Station Kurud, Police Chowki Birejhar, District Dhamtari (C.G.) for the offence punishable under Sections 456 & 354 of the IPC and Section 8 of the POCSO Act.
2. As per the prosecution story, on 12.06.2018, it is alleged that at about 6:30 PM, present applicant entered the house of the prosecutrix a girl aged about 14 years and caught hold her hands and breast to outrage her modesty. On the basis of above, report has been lodged and offence has been registered against the present applicant. Applicant has been arrested on 13.06.2018.
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 applicant is in custody since 13-06-2018, charge-sheet has already been filed 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 13-06-2018, 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