

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6567 of 2018

- Sachiv Sinha S/o Jagdish Sinha Aged About 20 Years R/o Village- Rajpur, Police Station- Sahaspur Lohara, District- Kabirdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- S. Lohara, District- Kabirdham, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For State/Respondent	:	Smt. Smita Ghai, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

04/10/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 161/2018 registered at Police Station- S. Lohara, District – Kabirdham, (C.G.) for the offence punishable under Section 354 (C) of IPC & Section 11 (4) of POCSO Act, 2012.
2. As per prosecution story, prosecutrix is a minor girl aged about 16 years. Allegation against the present applicant is that he used to follow her with the bad intentions and tease her while going to school. Applicant used to chase her every now and then and force her to take photograph with him in the temple. Report was made on 23.08.2018 by prosecutrix herself. On the basis of said report, offence has been registered and the present applicant is in custody since 25.08.2018.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that Applicant has no criminal antecedent, he is in custody since 25.08.2018 and trial will take some time. Therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. Considering the entire facts and circumstances of the case, particularly considering the fact that the applicant has no criminal antecedent, he is in custody since 25.08.2018 and the trial will likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
6. Accordingly, the bail application is allowed.
7. 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 surety in the like sum to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge