

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6615 of 2018

- Mohd. Mohsin Khan S/o Mohd. Ismile Khan Aged About 26 Years R/o Manas Chock, Ward No. 14, Post Office And Police Station- Gariyaband, District- Gariyaband Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Panduka, District- Gariyaband, Chhattisgarh.

---- Respondent

For Applicant	: Shri Shivendu Pandya, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/10/2018

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. 99/2018, registered at Police Station Panduka, District Gariyaband (C.G.) for the offence punishable under Section 354 & 354 (A) of the IPC and Section 8 of the POCSO Act, 2012.
2. As per the prosecution story, on the date of incident i.e. 04.06.2018 at about 1 PM on being called by accused/applicant to the prosecutrix a girl aged about 16 years near Sai Mandir, allegedly at that time the applicant tried to outrage her modesty. It was further alleged that the applicant also called and sent messages to the prosecutrix in her mobile phone. On the basis of above, offence has been registered and the applicant has been arrested on 26.06.2018.
3. Learned counsel appearing on behalf of the Applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant is in custody since 26-06-2018 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. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the applicant is in custody since 26-06-2018 and trial is 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. 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