

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6740 of 2018**

Gopal Sharma @ Gopal Narayan Sharma S/o Late Chakradhar
Sharma Aged About 36 Years R/o Village Bandabari, Police
Outpost- Bhanwarpur, P.S.- Bansa, District- Mahasamund, CG

---- Applicant**Versus**

State Of Chhattisgarh Through The Station House Officer, Police
Station- Sarsiva, District- Balodabazar- Bhatapara CG

---- Respondent

For applicant	Mr. Tanuj Patwardhan, Adv.
For Respondent/State	Mr. S.K. Mishra, PL

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****30-10-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 247/2018 registered in police station Sarsiva, Distt. Baloda Bazar-Bhatapara (CG) for offence punishable under Section 457, 354 (a) of IPC and Section 8 of POCSO Act.
3. Prosecution story in brief is that prosecutrix is aged about 16 years. She is resident of village Jamnardihi. On 17-8-2018 she was alone in her house. The applicant and another person entered into her house. The applicant used criminal force on her, pressed her breast and outraged her modesty.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he submits that no criminal antecedent of the applicant is reported in the police case diary.
6. Looking to the above facts and circumstances of the case, and

as trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial and will not commit any offence in future, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge