

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6971 of 2018**

- Banshilal Dehre, S/o Bhagela Dehre, aged about 34 Years R/o Boriya, Police Station - Berla, District - Bemetara, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through District Magistrate Bemetara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Vivek Singhal, Advocate.
For Respondent/State	: Smt. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

25/10/2018

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. 155/2018, registered at Police Station – Berla, District- Bemetara, (C.G.) for the offence punishable under Sections 354 (d), (iv) & 354 (Ä) of IPC and Section 8 of POCSO Act.
2. As per the prosecution story, on 19.06.2018 at 7:00 p.m., when prosecutrix, who is girl aged about 15 years was coming after attending the nature call, the Applicant tried to outrage her modesty. On 21.06.2018, prosecutrix/complainant lodged a report against the Applicant. On the basis of the said report, offence has been registered against the Applicant and has been taken into custody on 22.06.2018.
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 22.06.2018 and trial will take some time. Charge-sheet has already been filed. 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 and perused the case diary.
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 22.06.2018 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