

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 6966 of 2018

- Shriram Yadav S/o Shri Batau Aged About 50 Years R/o Bandhatola, Police Station- Bodala, District- Kabeerdham, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station- Bodala, District- Kabeerdham, Chhattisgarh.

---- Respondent

For Applicant	: Shri Pushendra Kumar Patel, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/10/2018

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. 112/2018, registered at Police Station Bodala, Distt. Kabeerdham (C.G.) for the offence punishable under Section 376, 511, 452, 354 of the IPC and Section 8 of the POCSO Act, 2012.
2. As per the prosecution story, on 04.07.2018 present applicant entered in the house of the Laxmi Gupta, mother of the prosecutrix and he tried to outrage modesty of the prosecutrix a girl who is aged about 9 years and also tried attempt to commit rape on her inside the toilet of her house. On the basis of above, report has been lodged and offence has been registered against the present applicant and he is in custody since 05.07.2018.
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 applicant is in custody since 05.07.2018, charge-sheet has already filed and trial will take some time, therefore,

he may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application and submits that sufficient evidence against the applicant available on record. Therefore, he may not be released on bail.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that prosecutrix is a girl aged about only 9 years, without further commenting on merits of the case, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application is rejected.

Sd/-

(Arvind Singh Chandel)

Judge