

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7705 of 2018**

Sourabh Chandrakar, S/o Shri Nand Kumar Chandrakar, Aged About 17 Years, R/o Taj Nagar, Santoshi Nagar, Police Station- Tikrapara, District- Raipur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station- Tikrapara, District- Raipur (C.G.)

---- Respondent

For Applicant : Mr. Achyut Tiwari, Advocate.

For State : Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Ram Prasanna Sharma

Order On Board

01/11/2018

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 04.05.2018 in connection with Crime No. 194/2018 (Special Criminal Case No. 102/2018) registered at Police Station- Tikrapara, District- Raipur (C.G.), for the offence punishable under Sections 363, 323 & 354 of IPC & Section 8 of Protection of Children from Sexual Offences Act, 2012 (for short "the POCSO Act, 2012").
2. As per case of the prosecution, the applicant outraged modesty of a minor girl that is why report was lodged and he has been charge-sheeted.
3. Learned counsel for the applicant submits that the applicant is innocent and trial will take sufficient time, therefore, pre-trial

detention is not required on the facts and circumstances of the case, he may be enlarged on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.
5. Looking to the fact that the major punishable under Section 8 of the POCSO Act, 2012 is 5 years and further looking to the fact that the trial will take sufficient time, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs. 25,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
Judge