

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8019 of 2018**

Sonu @ Farhan Khan @ Mohd. Hussain S/o Shakil Ahmad Aged About 22 Years R/o Junapara, Post Office And Police Station- Baikunthpur, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station- Baikunthpur, District- Koriya, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Shivendu Pandya, Advocate
For the State	:	Shri R.K. Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/11/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.06/2018 registered at Police Station Baikunthpur, District Koriya (C.G.) for the offence punishable under Sections 294, 323, 354(A), 354(C)/34 of IPC 12 of the POCSO Act and 3(1)(w) (ii) & 3 (1)(r)(s) of the SC ST (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief is that the prosecutrix is aged about 14 years old. She is resident of village Junapara Baikunthpur. On 02/09/2018 when she was bathing applicant take her photographs. On 03/09/2018 he caught hold her hair beat and abused her on racial basis.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs.50,000/- to the satisfaction of the concerned Court with the condition that he will not commit any offence in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge