

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8261 of 2018

- Rohit Yadav S/o Shri Mahettar Yadav Aged About 22 Years R/o Village Darra Police Outpost -Giroudhpuri , Thana Gidhoura Tundra, Civil and Revenue District Balodabazar- Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh through Station House Officer, Police Outpost Giroudhpuri, Thana Gidhoura -Tundra, Civil and Revenue District Balodabazar -Bhatapara Chhattisgarh.

----Non-applicant

For Applicant : Mr. Sunil Sahu, Advocate

For Respondent/State : Mrs. M. Aasha, PL

Hon'ble Smt. Justice Vimla Singh Kapoor

Order On Board

31/10/2018

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of bail as he is in custody since 27.09.2018 in connection with Crime No. 200/2018 registered at Police outpost Giroudhpuri, District Baloda-Bazar, Bhatapara, for the offences punishable under Sections 354/34 IPC and Section 12 of POCSO, Act.
2. As per the prosecution case, on 25.09.2018 when the prosecutrix was going to her school on bicycle, the accused/applicant reached there, stopped her bicycle and passed on some obscene remarks at her.
3. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the crime in question and therefore, he may released on bail.
4. On the other hand, State counsel opposes the bail application.

5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, the fact that the applicant is in jail since 27.09.2018, without further commenting on merits of the case, this Court is of the considered opinion that it is a fit case to release the applicant on bail.
7. Accordingly, the application is allowed and the accused/applicant is directed to be released on bail on his furnishing a personal bond of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before the said Court as and when directed.

CC as per rules.

Sd/-
(Vimla Singh Kapoor)
Judge