

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8296 of 2018

- Dev Kumar Sahu S/o Late Jallu Ram Sahu Aged About 22 Years
R/o Village Khadauda Khurd Police Station Pipariya District
Kabirdham, CG.

---- Applicant

Versus

- State Of Chhattisgarh through District Magistrate / Station House
Officer Police Station Pipariya District Kabirdham CG.

----Non-applicant

For Applicant : Mr. Dharmesh Shrivastava, Advocate
For Respondent/State : Mrs. M. Aasha, Panel Lawyer

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 08.10.2018 in connection with Crime No. 279/2018 registered at Police Station Pipariya, District Kabirdham, for the offences punishable under Sections 354, 294, 323, 506 IPC and Section 7 & 8 of the POCSO Act.
2. As per the prosecution case, the applicant outraged the modesty of the minor prosecutrix aged about 15 years at the relevant time.
3. Counsel for the applicant submits that the applicant has not committed any offence and has been falsely implicated in the crime in question on account of some old dispute between them, 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 the applicant is in jail since 08.10.2018, 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