

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8431 of 2018**

Rakesh Patel S/o Ramji Patel, aged about 27 years, R/o Kandhai, Police Station Bemetara, District Bemetara (C.G.).

--- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Bemetara, District Bemetara (C.G.).

---- Respondent

For Applicant	:	Mr. Bharat Rajput, Advocate
For Respondent	:	Mr. Vivek Singhal, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

15/11/2018

1. The applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 223/2018 registered at Police Station Bemetara, District Bemetara (C.G.) for the offence punishable under Sections 456, 354, 323 of the IPC and Section 8 of the POCSO Act.
2. In this case, the prosecutrix is a girl, aged about 13 years. On 17/06/2018 she made a report alleging therein that on the same day i.e. 17/06/2018 when she was alone at her house, at about 8 pm, the applicant entered into her house and caught hold her hands and breast with an intention to outrage her modesty. On the basis of said report, offence has been registered and the applicant has been arrested on 02/08/2016.
3. Learned counsel appearing on behalf of the applicant submits that the

applicant is innocent and has been falsely implicated in the present case due to enmity. He further submits that the applicant is in custody since 02/08/2018, charge-sheet has been filed, he has no criminal antecedent and trial will take time, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the applicant is in custody since 02/08/2018, charge-sheet has been filed, he has no criminal antecedent and the trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court, as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge