

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.8474 of 2018**

Kishor Valde @ Ranu, S/o Shri Indal Valde, aged about 25 years, R/o Near Damabanjai, Police Station Thana Churiya, District Rajnandgaon (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Churiya, District Rajnandgaon(CG).

---- Non-applicant

For Applicant : Mr. Ishan Verma, Advocate.
For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

28.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.92/2018 registered in Police Station Churiya, Rajnandgaon for the offence punishable under Sections 342, 354, 451, 506 of IPC and Section 8 & 10 of POCSO Act.
3. Prosecution story in brief is that on 02.07.2018 in village Damabanjai, the applicant entered into the school and molested the two minor prosecutrix/students in the school premises, who were aged about 10 years.
4. Counsel for the applicant submitted that the applicant is innocent and has been falsely implicated in the present case hence he may be released on bail.
5. Counsel for the State opposed the prayer for grant of bail. He further submitted that no criminal antecedent reported against the applicant in police case diary.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence; and the trial is likely to take some more time for its final disposal, this Court is inclined to give benefits of Section 439 of the CrPC to the applicant. Accordingly, the bail application is allowed.
7. It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Trial Court with the condition that he shall appear before the Trial Court at 11:00 am as and when directed till trial and he

would co-operate during the trial, he shall be released on bail and he shall not commit any such type of offence in future.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-