

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8940 of 2018

- Mohit Pandey S/o Late Suresh Pandey Aged About 31 Years R/o Aata Chakki Ke Pichhe, Pathripara, Chouki -Rampur, Thana Kotwali, Korba, Tahsil And District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Chouki -Rampur, Thana Kotwali, Korba, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Vikash Pandey, Advocate.
For Non-applicant	: Shri Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

05.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 735/2018 registered at Chouki -Rampur, Thana Kotwali, Korba, District Korba (C.G.) for the offence punishable under Sections 354 of the Indian Penal Code and Section 8, 12 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that prosecutrix is more than 16 years old. She is resident of village Pathripara, Rampur. On 28.09.2018, applicant took prosecutrix in his house and pressed her mouth and used criminal force on her to outrage her modesty.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
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, 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 Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE