

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 546 of 2019**

Sonuram Baghel S/o Nabino Baghel Aged About 40 Years R/o Village Bhejaripadar Banaraspara, Tahsil And P. S. Bakawand District Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through The Police Station Aadim Jati Kalyan Jagdalpur District Bastar Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri P.K. Tulsyan, Advocate
For the State	:	Shri M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.3/2018 registered at Police Station Adim Jati Kalyan Jagdalpur, District Bastar (C.G.) for the offence punishable under Section 354(A)(D) and 509 of IPC and 3(1)(W)(ii) of SC ST (Prevention of Atrocities) Act and under Section 12 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is about 17 years of old. She is resident of village Rajnagar. On 11/12/2018 applicant shown her his penis, demanded sex from her, make sexual coloured remarks, thrown upon her some sticky white colour semen from the place of his private part. He had committed same acts one month ago when she and complainant Poornima were returning back from school.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
 Judge