

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No.482 of 2019**

Parasram S/o Kejuram Sonwani, aged about 26 years, R/o Village Bamhantara, Thana Taregaon Jangal, District Kabirdham (CG). ---- **Applicant**

Versus

State of Chhattisgarh, through Police Station Taregaon Jangal, District Kabirdham (CG). ---- **Non-applicant**

For Applicant : Mr. Samir Singh, Advocate.
For Non-applicant/State : Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****07.02.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other Court.
2. The applicant has been arrested in connection with Crime No.25/2018 registered in Police Station Taregaon Jangal, District Kabirdham for the offence punishable under Sections 354(C)/34 of IPC and Sections 11(1)(4)(6) & 12 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that the prosecutrix was aged about 16 years old on the date of incident. She is a resident of village Jaampani. Two years prior to 12.08.2018 onwards, the applicant was stalking her and used to say filthy language with her.
4. Counsel for the applicant submitted that the applicant has not committed any offence and has been falsely implicated in the case and as such the applicant may be released on bail.
5. Counsel for the State opposed the bail application. He further submitted that one case under IPC has already been registered against the applicant in police case diary.
6. Looking to the above mentioned 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/- 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 involve any such type of crime in future.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-