

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 886 of 2019**

- Sevak Barle S/o Shri Taran Barle Aged About 21 Years R/o Village Rajpura, P. S. Mungeli District Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali Mungeli District Mungeli Chhattisgarh

---- Non Applicant

For the Applicant : Shri Dheerendra Pandey, Advocate

For Non Applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****29.04.2019**

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.40/2016 registered at Police Station- City Kotwali Mungeli, District-Mungeli (C.G.) for the offence punishable under Sections 354, 354(A)(2), 506 294, 341 of Indian Penal Code & Section 8 of POCSO Act.
3. Case of the prosecution, in brief is that applicant is facing trial under Sections 354, 354(A)(2), 506 294, 341 of IPC & Section 8 of POCSO Act. Applicant was bailed out by trial Court. On 15/12/2016 applicant was absent thus arrest of warrant issued against him. On execution of arrest of warrant he was arrested on 24.11.2017. Now he is in custody in jail.
4. Learned counsel for the applicant submits that if the applicant release on bail then he will appear regularly before the trial Court.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant.
6. Looking to the 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- to the satisfaction of the concerned trial Court with the condition that he shall not leave the territory of Chhattigarh State without obtaining the prior permission from the trial Court, 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

Parul