

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 746 of 2019**

- Bahur Singh S/o Shri Radhe Lal Sahu Aged About 34 Years R/o Ward No. 3, Dallirajhara, Police Station Rajhara, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Rajhara, District Balod Chhattisgarh

---- Respondent

For applicant Mr. Amiyakant Tiwari, Adv.
 For non-applicant/State Mrs. M. Asha, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19-3-2019**

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. 89/2018 registered in police station Rajhara, Distt. Balod (CG) for offence punishable under Section 354, 354-A of the IPC, Section 7, 8, 11 and 12 of the POCSO Act and Section 3(1)(B) and (3)(2) (V-A) of the SCST Act.
3. Prosecution story in brief is that the prosecutrix is aged about 17 years. She is a resident of Loading quarters, Dalli Rajhara. She is a member of Scheduled Caste. On 18-5-2018 at about 9.15 pm, the applicant caught hold her, showed his private part to her and made sexually coloured remarks.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the above facts and circumstances of the case, as the trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in any of the crime in future, he be released on bail.
7. CC as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge