

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 841 of 2019**

- Shankarlal S/o Timanlal Kurre Aged About 24 Years R/o Sarhar, Police Station Baradwar, Tahsil Sakti, District Janjgir Champa, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through District Magistrate Janjgir, District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Shri Suresh Verma, Advocate.
For Respondent/State : Shri Amit Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**20/02/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 34/2018, registered at Police Station – Baradwar, District – Janjgir-Champa, (C.G.) for the offence punishable under Sections 354, 323, 506 of IPC and Section 8 of POCSO Act, 2012.
2. In this case, prosecutrix is a girl, aged about 16 years. Allegations against the present Applicant is that on 26.01.2018, when prosecutrix was taking to one of her friends, at that time the present Applicant came there and caught hold her hand saying that why she is taking to another person. Allegedly, the Applicant assaulted the prosecutrix as well as her brother Shiv Kumar. Report has been lodged by the prosecutrix, on the basis of which offence has been registered against the present Applicant. He has been taken into custody on 19.12.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case due to some dispute. He further states that the Applicant has no previous

criminal antecedents, charge-sheet has been filed, Applicant is in custody since 19.12.2018 and trial will take time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that charge-sheet has been filed, the Applicant is in custody since 19.12.2018 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge