

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1077 of 2019**

- Vijay Gaikwad S/o Dhansai Gaikwad Aged About 37 Years R/o Village Boriya, P. S. Berla, District Bemetara CG **---- Applicant**
- Versus**
- State Of Chhattisgarh Through P. S. Berla, District Bemetara CG **---- Respondent**

For applicant	Mr. Anchal Kumar Matre, Adv.
For non-applicant/State	Mr. Wasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****3-4-2019**

1. No one appeared on behalf of the informant though notice has been served upon her.
2. 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.
3. Perused the case diary.
4. The applicant has been arrested in connection with Crime No. 385/2018 registered in police station Berla, Distt. Bemetara (CG) for offence punishable under Section 354, 323 of IPC, Section 8 and 12 of the POCSO Act.
5. Prosecution story in brief is that on the date of incident the prosecutrix was about 14 years of age. She is resident of village Boriya. On 3-12-2018 at about 7.00 am at village Boriya, the applicant molested her and used criminal force upon her to outrage her modesty.
6. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
7. 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.
8. Looking to the above facts and circumstances of the case, 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 similar offence in future, he be released on bail.
9. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge