

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1225 of 2019**

- Bhupendra Sahu S/o Jageshwar Prasad Sahu Aged About 24 Years R/o Village Saja ,police Station Guderdehi ,district Balod Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer ,police Station Gunderdehi District Balod Chhattisgarh

.....Non Applicant

For the Applicant : Ms. Hamida Siddiqui, Advocate

For Non Applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****06.03.2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants 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.28/2019 registered at Police Station- Gunderdehi, District- Balod (C.G.) for the offence punishable under Section 354 of Indian Penal Code Section 7 & 8 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that prosecutrix is about 17 years old. She is resident of village Saja. On 24.01.2019 at about 8:30 Pm at village Saja, applicant caught hold her waist took her near the courtyard of Dileep Sahu by pulling demanded to do sex, make sexually coloured remarks, pressed her neck.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no 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 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