

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1162 of 2019**

- Rameshwar @ Bhola S/o Shri Jagdish Yadav Aged About 18 Years R/o Block No. 14, Quarter No. 07, Atal Awas Jawahar Nagar, Police Station Jamul, District Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Jamul, District Durg, Chhattisgarh

---- Respondent

For applicant Mr. Avinash Chand Sahu, Adv.
 For non-applicant/State Mr. S.R.J. Jaiswal, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27-2-2019**

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. 238/2018 registered in police station Jamul, Distt Durg for the offence punishable under Sections 354, 34 of IPC and Section 8 of Protection of Children from Sexual Offence Act.
3. Case of the prosecution, in brief is that the prosecutrix is about 13 years old and resident of Jawahar Nagar Jamul, District Durg. On 19/05/2018 at about 7 p.m. when she was alone in the house, applicant, co-accused Sanjay Lal and Anis entered in her house, they kissed her and pressed her breast.
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,

looking to the fact that this Court vide order dated 20-8-2018 passed in MCRC No. 5170/2018 has granted bail to co-accused Sanjay Lal and case of the present applicant is not more severe than that of Sanjay Lal, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge