

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1232 of 2019**

- Mantosh Kumar Dhiwar S/o Choudhary Ram Dhiwar Aged About 24 Years R/o Village Girjaband, Nawagaon, Police Station Ratanpur, Tahsil Kota District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Ratanpur, District Bilaspur Chhattisgarh

---- Respondent

For applicant	Mrs. Madhunisha Singh, Adv.
For non-applicant/State	Mrs. M. Asha, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****6-3-2019**

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. 27/2019 registered in police station Ratanpur, Distt. Bilaspur (CG) for offence punishable under Section 452, 354, 34 of the IPC Section 12 of the POCSO Act.
3. Prosecution story in brief is that the prosecutrix is about 17 years old. She is a resident of village Navagaon. On 23-1-2019, applicant and co-accused Jagat Dhiwar entered into the house of prosecutrix. Co-accused Jagat Dhiwar caught hold her wrist to outrage her modesty. Applicant closed the door from outside and ran away.
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 trial will take its own time, the application is allowed. 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 any of the crime in future, he be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge