

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1342 of 2019**

Vijay Kumar, son of Toran Sahu, aged about 21 years, R/o Village Kachri, Tahsil and Police Statino Saja, District Bemetara (CG).

---- Applicant**Versus**

State of Chhattisgarh, through (Public Prosecutor) Station House Officer, Police Station Saja, District Bemetara (CG).

---- Non-applicant

For Applicant	: Mr. Sanjeev Kumar Sahu, Advocate.
For Non-applicant	: Mr. Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

08.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.29/2019 registered at Police Station Saja, District Bemetara for the offence punishable under Section 354 of Indian Penal Code and Section 11(1), 12 of POCSO Act.
3. Case of the prosecution, in brief is that on 21.01.2019, the prosecutrix was more than 16 years of age. She is a resident of village Kanharpuri, District Durg. On 21.01.2019 at about 6:00 p.m. at village Kacheri, the applicant caught hold her hand to outrage her modesty and spoke filthy language with her.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, 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. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-