

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1421 of 2019**

Ajay S/o Gopiram Yadav Aged About 20 Years R/o Barampur, Police Station- Dongargarh, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Chauria, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anil S. Pandey, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/03/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.08/2019 registered at Police Station Chhuria, District Rajnandgaon (C.G.) for the offence punishable under Section 363, 354 (B) of IPC, Section 8 of POCSO Act and Section 3/181 of Motor Vehicles Act.
3. Case of the prosecution, in brief is that prosecutrix is about 12 years old. She is resident of Dongargarh. On 08/01/2019 at about 3.30 p.m. at Jhinhari Road applicant had fallen down her in the field, pressed her neck and tried to remove her slacks.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents 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 the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each 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 such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge