

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2304 of 2019

- Dinesh Yadav S/o Ramsarikh Yadav Aged About 50 Years R/o Village Mhendra (Barhad Bazar), P.S. Barhad Bazar, District- Gorakhpur, U.P. At Present R/o Sector-02, Street No-3, Quarter No.33, Bhilai, P.S. Bhilai Bhatti, District- Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Out Post Vaishali Nagar, P.S. Supela, District- Durg, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri Shashank Thakur, Advocate.

For Non-applicant : Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

16/04/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.91/2019 registered at Police Station– Out Post Vaishali Nagar, P.S. Supela, District Durg (C.G.) for the offence punishable under Sections 294, 506 of the Indian Penal Code and Section 11 (ii) & 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Hence, it is prayed that applicant be enlarged on regular bail.
3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that the Applicant sexually

harassed the child, a minor aged about 11 years, as such no case is made out for grant of bail. Hence, he is not entitled for grant of regular bail.

4. Heard learned counsel for both the parties and perused the case diary.
5. Taking into consideration the facts and circumstances of this case, I am of the opinion that this is a fit case where applicant should be released on regular bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge