

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2341 of 2019

- Kailash Dhimar S/o Late Bhagwat Dhimar Aged About 31 Years R/o Village Chingri, Aabadi Para, Police Station Anda, District Durg, Chattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Anda, District Durg, Chhattisgarh.

---- Respondent

For Applicant : Shri Goutam Khetrapal, Advocate.
For Respondent/State : Smt. Madhunisha Singh, P.L.

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

16/04/2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the Applicant for grant of regular bail. The Applicant has been arrested on 21.02.2019 in connection with Crime No. 14/2019 registered at Police Station – Anda, District – Durg, Chhattisgarh for the offence punishable under Sections 354, 451 of the Indian Penal Code and Section 8 of POCSO Act.
2. It is submitted on behalf of the Applicant that the Applicant has been falsely implicated in this case. No case is made out on the basis of the evidence available on record against this Applicant. He is in jail since 21.02.2019 and he is ready to face the trial. Hence, under this circumstances, it is prayed that he may be granted bail.
3. Learned Counsel for the State/Non-Applicant opposes the bail application.
4. Heard learned Counsel for the parties and perused the case diary.

5. Allegation against the present Applicant is that, on the date of incident, Applicant caught hold the hands of the victim, aged 10 years, with malafied intention and slapped her twice and also forced her to dance before him. Hence, this case.
6. After considering on all the material present in the case diary, I feel inclined to allow this application.
7. Consequently, the application filed by the Applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge