

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2452 of 2019

- Akhilesh Sinha S/o Balchand Sinha Aged About 18 Years R/o Village Bijabhata, Police Station Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through (Public Prosecutor) Station House Officer, Police Station Bemetara, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Sanjeev Kumar Sahu, Advocate.
For Non-applicant	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.04.2019

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 learned counsel for the State in connection with crime No. 117/2018 registered at Police Station – Bemetara, District- Bemetara (C.G.) for the offence punishable under Section 354-A(1)(II) of the Indian Penal Code and Section 12 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is about 13 years old. She is resident of village Bijabhat. On 13.03.2019 at about 01:30 pm at village Bijabhat applicant took her by pulling behind the shop of her father and demanded sex from her.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application , however, submits that there is no antecedent against the applicant.
6. Looking to these 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 a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE