

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2570 of 2019

- Krishna Sahare S/o Late Prem Das Sahare Aged About 58 Years R/o Bhathapara, Kohka, Behind Mourya Ata Chakki, Ward No. 09, Police Station Supela, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Supela District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. P. Chetan Kumar, Advocate
For Non-applicant	: Mr. A. Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.05.2019

1. Informant -Smt. Rekha Tandan absent though notice served upon her.
2. 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.
3. Perused the case diary provided by the learned counsel for the State in connection with crime No. 233/2019 registered at Police Station – Supela, District Durg (C.G.) for the offence punishable under Sections 354, 354(A) of the Indian Penal Code and Section 7, 8 of POCSO Act.
4. Case of the prosecution, in brief is that prosecutrix is about 11 years old. She is resident of Kohka, Bhilai. On 08.03.2019 at about 1:30 pm, applicant used criminal force on the body of the prosecutrix to outrage her modesty. He had addressed some filthy language to her.
5. 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.
6. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
7. 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE