

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3199 of 2019

- Lokesh Tandon S/o Sukhdev Tandon Aged About 24 Years R/o Village Boriya, Police Station Berla, District- Bemetara, Chhattisgarh., District : Bemetara, Chhattisgarh

---- Applicant

Versus

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

---- Non-applicant

For Applicant : Shri Sanjeev Kumar Sahu, Advocate.

For Non-applicant : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

27.06.2019

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. Case diary not produced. Counsel for the applicant produced photocopy of the charge sheet for perusal of this Court.
3. The applicant has been arrested in connection with crime No. 141/2019 registered at Police Station – Berla District Bemetara (C.G.) for the offence punishable under Sections 456, 354 of the Indian Penal Code and Sections 8, 12 of the POCSO Act.
4. Case of the prosecution, in brief is that prosecutrix is about 16 years of age. She is resident of village Boriya. On 23.04.2019 at about 02:30

hours applicant entered in her house, used criminal on her body to outrage her modesty.

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.
7. As per the photocopy of the arrest memo of the applicant which is part of the charge sheet no antecedent has been reported against the applicant.
8. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie material available on record against the applicant, 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 similar type of 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.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE