

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3517 of 2019**

- Diamond Kumar @ Gulshan Netam, Panchuram Netam, Panchuram Netam, aged about 22 years, R/o village Behrabuda Police Station Gariabandh, District Gariabandh (C.G.)

---- Appellant**Versus**

- State of Chhattisgarh through Police Station, Gariaband, District Gariaband (C.G.)

---- Respondent

For Applicant	:	Shri Pragalbha Sharma, Adv.
For Respondent	:	Shri Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****27.05.2019**

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 60/2018 registered at Police Station Gariabandh, District Gariabandh (C.G.) for the offence punishable under Section 354 of I.P.C. and Sections 8 & 10 of the Protection of Children from Sexual Offences Act 2012.
2. The prosecution story in brief is that the accused/applicant, taking the advantage of loneliness of the prosecutrix, had tried to outrage her modesty and thereby committed crime.
3. Learned counsel for the applicant submits that the applicant is innocent person and he has falsely been implicated in the crime in question. He further submits that the applicant is in

custody since 21.12.2018, therefore, applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the applicant had intentionally tried to outrage the modesty of the prosecutrix.
5. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that applicant is in custody since 21.12.2018, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
6. Accused/applicant directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to them by the said Court.

Sd/-

(Rajani Dubey)
Vacation Judge