

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3839 of 2019**

Yashwant Satnami S/o Shri Sukhnandan Satnami Aged About 20 Years R/o Village - Navalpur, Police Station Bemetara, Tahsil And District Bemetara Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bemetara, District Bemetara Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vaibhav A. Goverdhan, Advocate.
For Respondent/State	: Mr. V.K. Agrawal, P.L.
For Objector	: Mr. Ravindra Sharma, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/06/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 115/2019, registered at Police Station – Bemetara, District- Bemetara (C.G.) for the offence punishable under Section 294, 323, 354 of the Indian Penal Code and Section 12 of POCSO Act, 2012.
2. In this case age of the prosecutrix is about 17 years. As per the prosecution story, on 13.03.2019, when the prosecutrix was fetching water from hand-pump, allegedly, at that time the Applicant proposed her with filthy language, assaulted her and also tried to outrage her modesty. A report was made by brother of the prosecutrix. On the basis of said report offence has been registered. The Applicant is in custody since 14.03.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated due to some dispute with prosecutrix and her family members. He further submits that the Applicant is in custody since 14.03.2019 and charge-sheet has already been filed and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, particularly considering that the applicant is in custody since 14.03.2019, charge-sheet has been filed and counsel for the complainant also not objected and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge