

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4693 of 2019**

Dileshwar Yadav @ Malwa S/o Teerath Ram Yadav Aged About 30 Years R/o Sakin Khaliba Dugupara, P. S. Gandhinagar, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Gandhinagar, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sumit Singh Rathore, Advocate
For the State	:	Shri Vaibhav K. Agrawal, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/08/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.114/2019 registered at Police Station Gandhinagar, District Surguja (C.G.) for the offence punishable under Sections 354 and 457 of IPC and Section 8 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is about 13 years old. She is resident of village Khaliba Manjhapara. On 05/05/2019 at about 23.50 hours applicant entered in her house, used criminal force on her body to outrage her modesty.
4. Counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the

bail application and submitted that there is no previous antecedent against the applicant.

6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in similar type of crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde