

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4758 of 2019**

- Ravishankar S/o Shri Panchram Nishad Aged About 19 Years R/o Village - Borasi, Thana - Magarload, Tahsil - Kurud, Civil And Revenue District – Dhamtari, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - Magarload District - Dhamtari Chhattisgarh.

---- Respondent

For Applicant : Shri Sunil Sahu, Advocate.
For Respondent/State : Smt. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

20/08/2019

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. 173/2019 registered at Police Station – Magarload, District- Dhamtari, Chhattisgarh, for the offence punishable under Sections 354 of IPC and Section 8 of POCSO Act.
2. As per the prosecution story, age of the prosecutrix at the relevant time was about 16 years. On 25.06.2019, she made a written complaint before the police station alleging therein that on 25.06.2019 itself, around 10:00 am, when she was walking, present Applicant came there and caught hold her hand and proposed her stating that he loves her. When she raised the alarm, her family members came thereafter, Applicant ran away from the spot. On the basis of the said, offence has been registered against the Applicant and he has been taken into custody on 25.06.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case due to some dispute with the parents of the prosecutrix. He also states that Applicant has no previous criminal antecedents. He is in custody since 25.06.2019, charge-sheet has 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, the evidence collected by the prosecution and further considering the fact that Applicant is in custody since 25.06.2019 and trial is likely to take some time, without further commenting on other merits of the case, I am inclined to release him 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 concerned Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge