

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4883 of 2019**

Davendra Kumar Yadav @ Golu S/o Shri Ganesh Ram Yadav Aged About 24 Years R/o Bhadrapara, Sarpanch Mohalla Police Station Balconagar, And Tahsil And District Korba Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Balco Nagar, Korba, District Korba Chhattisgarh.

---- Respondent

For the Applicant : Shri Ashutosh Shukla, Advocate.
For the Respondent/State : Shri Kapil Maini, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****27.08.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.199 of 2019, registered at Police Station – Balco Nagar, Korba, District – Korba, Chhattisgarh for the offence punishable under Sections 341, 354 and 354(D) of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 16.6.2019 and has been falsely implicated in this case. This applicant has not committed any offence as it is stated in the FIR later on against him. After completion of investigation, the charge-sheet has been filed. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident this applicant chased the minor prosecutrix and finding her alone by using physical force on her he proposed to marry her. Thereafter, the prosecutrix has lodged this FIR. Hence, this case.
6. Considering the fact that the case is now pending for trial before the trial Court and no purpose would be served if the applicant was kept in detention for the whole period of trial, therefore, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-
(Rajendra Chandra Singh Samant)
Judge