

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 5039 of 2019

- Pawan Shukla S/o Ramakant Shukla Aged About 21 Years R/o Village Boirpara, Police Station Lalpur, District Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Lalpur, District Mungeli Chhattisgarh

---- Non-applicant

For Applicant : Mr. Purushottam Das Manikpuri, Advocate.
For Non-applicant/State : Mr. Avinash Kumar Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-09-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 06.07.2019 in connection with Crime No.122/2019, registered at Police Station—Lalpur, District- Mungeli, Chhattisgarh for offence punishable under Sections 354, 354 (घ) r/w 34 of Indian Penal Code and Sections 7 & 8 of POCSO Act.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 06.07.2019. This applicant has not committed any offence. Charge-sheet has been filed after completion of investigation. Therefore, prayed that he may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, on the date of incident, when the

victim aged about 15 years, was on her way to home, this applicant and other two co-accused persons came to her and then by using physical force outraged her modesty. Hence, this case.

6. Considering that the case has been completely investigated and it is now pending for trial and this applicant has no criminal antecedents, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed.
8. Certified copy as per rules.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge