

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5775 of 2019

- Aman Kumar Pisda S/o Hiralal Pisda Aged About 22 Years R/o Kotera Police Station Daundi Lohara, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Daundilohara, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Respondent

 For Applicant : Ms. Aditi Singhvi, Advocate
 For Respondent/State : Shri Anurag Verma, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

07.11.2019

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.135/2019, registered at Police Station Daudilohara, District Balod(CG) for the offence punishable under Sections 354, 354(1)(i), 341, 294, 323 and 506 of the IPC and Sections 7, 8, 11 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. As per the case of prosecution, the prosecutrix lodged a report that while she was going to School along with her friend Monika, on the way the present applicant stopped her and committed sexual assault, caught hold her hand, abused and assaulted her, due to which she received injury near right eye.

4. Learned counsel for the applicant submits that the applicant has not committed any offence. She further submits that there was love affair between the applicant and the prosecutrix and as the applicant ended the relationship with the prosecutrix, she lodged the report against the applicant. She submits that the applicant is in jail since 25.7.2019 and yet charge sheet has not been filed and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and yet charge sheet has not been filed, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE