

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5999 of 2019**

- Vikky @ Rameshwar Nagarachi, son of late Vishnuram, aged about 21 years, resident of village Auri, Chowki Birejhar, P.S. Kurud, District Dhamtari (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer – Police Station Fingeshwar, District Gariyaband (C.G.)

---- Respondent

For Applicant	:	Shri C.R. Sahu, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****14/11/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.115/2019, registered at Police Station – Fingeshwar, District Gariyaband (C.G.) for the offence punishable under Sections 354 (d), 341, 323 IPC and Section 12 of POCSO Act.
2. The prosecution story, in brief, is that the complainant lodged a written report in police station alleging in it that when she was coming from school, the applicant intercepted her, put proposal of marriage and committed maarpeet with her. Based on this report, offence has been registered. Present applicant has been taken into custody on 06.08.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the applicant has not committed maarpeet with the prosecutrix. He also submits that the

applicant is in custody since 06.08.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, and further considering the fact that the applicant is in custody since 06.08.2019 and the trial is likely to take some time, without further commenting on 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 his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Sd/-

(Rajani Dubey)
Judge