

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6384 of 2019**

- Lakshmi Sarthi, S/o Rambachan, Aged About 29 Years, R/o Village Mudesha, Post Bhattikala, Police Station Gandhinagar, District Surguja (C.G.).

**---- Applicant****Versus**

- State Of Chhattisgarh, Through: Station House Officer, Police Station, Surajpur, District Surajpur (C.G.).

**---- Respondent**

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| For Applicant        | : Mr. Gyan Prakash Shukla, Adv. |
| For Respondent/State | : Mr. Anil Tripathi, P.L.       |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****28.11.2019**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 258/2019 registered at Police Station Surajpur, District Surajpur (C.G.) for the offence punishable under Sections 354 (A), 323/34 of I.P.C. & Section 12 of the POCSO Act, 2012.
2. The prosecution story, in brief is that, on 26.07.2019, prosecutrix was going to call her brother-in-law at that time applicant caught her and taken her in the house of Ajay Sarthi. Thereafter, the applicant with an intention to insult the prosecutrix, has touched her body parts. After that, she managed to run away and informed the said incident to her family members. When the question was raised by the family members of the prosecutrix, then the relatives of the applicant started beating to the prosecutrix and her brother-in-law. Thereafter, offence has been registered against the present applicant.
3. Learned counsel for the applicant submits that the applicant is

innocent and has been falsely implicated in the crime in question. He further submits that charge-sheet has been filed. The applicant is in jail since 03.09.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that charge-sheet has been filed. The applicant is in jail since 03.09.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-  
(Rajani Dubey)  
Judge**