

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6432 of 2019**

- Krishna Sahu @ Krishna Kumar Sahu, son of Santosh Sahu, aged about 19 years, R/o Nevnara Chowki, Kandarka, P.S. Berla, District Bemetara (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Berla, District Bemetara (C.G.)

---- Respondent

For Applicant	:	Shri Vivek Singhal, Adv.
For Respondent	:	Shri Akhtar Hussain, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****28/11/2019**

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.249/2019, registered at Police Station – Berla, District Bemetara (C.G.) for the offence punishable under Sections 341, 294, 354, 323 IPC and Section 8 & 12 of Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story, in brief, is that on 26.08.2019 at about 9.30 am, when prosecutrix was going to school, the applicant intercepted her near Dubey Farm, told her that he loves her very much, to which the prosecutrix refused, thereafter, the applicant cut his hand, caught hold the hands of the prosecutrix with intent to outrage her modesty and also slapped her. Based on this, offence has been registered. The present applicant has been taken into custody on 28.08.2019.

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 only allegation against the applicant is that he caught hold of the hands of the prosecutrix and told her that he loves her very much and nothing more than that. He also submits that the applicant is in custody since 28.08.2019, charge sheet has been filed 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 counsel for the State 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, quality of evidence and further considering the fact that the applicant is in custody since 28.08.2019, charge sheet has been filed 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.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge