

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6498 of 2019**

- Rajendra Kumar Sharma S/o Lakhanlal Sharma Aged About 54 Years, R/o Ward No. 09, Purani Basti, Kohka, Behind Bhagirathi Kirana Store, Near Shitla Pond, Bhilai, Chauki Smriti Nagar, Thana Supela, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Police Station Supela, District Durg, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Anil Gulati, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/11/2019**

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. 895/2019 registered at Police Station Supela, District-Durg (C.G.) for the offence punishable under Sections 354, 506 of the IPC and 8 of POCSO Act.
2. The prosecution story, in brief is that the complainant lodged a report that on 31.08.2019 when her daughter came home from the quarterly examination, she was alone at that time the applicant came there, and tried to outrage her modesty by caught hold her hand and when she objected the applicant threatened her that, if, she disclosed to anyone then he will kill her. Based on this 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 and the

applicant is in jail since 18.09.2019, 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, detention period of applicant and further considering the facts that charge-sheet has been filed and the present applicant is in jail since 18.09.2019 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**