

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6967 of 2019**

- Pankaj Puri S/o Surajprasad Puri Aged About 18 Years R/o Village Amaru, Police Station Pendra, Tehsil Pendra District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Pendra, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Shri Abhishek Pandey, Advocate.
For Respondent	:	Ms. Reena Singh, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/12/2019**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No.285/2019, registered at Police Station -Pendra, District Bilaspur(C.G.) for the offence punishable under Sections 294, 323, 506, 341, 354 of the IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.
2. It is the case of the prosecution that the prosecutrix lodged a report that on 21.9.2019 when she had gone to her sister's house, she went with her friend to purchase some items from grocery shop and while returning, the applicant stopped them on the way and abused and caught hold the hand of the prosecutrix and tried to outrage her modesty and thereafter, beaten her and torn her clothes.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submits that the applicant and the prosecutrix are well known to each other and they meet on regular basis and the prosecutrix has lodged the report against the applicant due to pressure from her family members. He submits that as the applicant is in custody since 23.9.2019 and the trial is likely to take some time for its final disposal, he may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application is allowed. It is directed that on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail, subject to following conditions:
 - (i) That, the applicant shall furnish a specific, undertaking that while on bail, he will not commit any other similar offence, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
 - (ii) That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or

promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

- (iii) That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge