

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7006 of 2019**

Anish Tandekar @ Nanu @ Raka S/o Late Tiju Tandekar, aged about 24 years, R/o Shyamnagar Lingiyadeeh, Police Station Sarkanda, District (Revenue And Civil) Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh through Police Station Sarkanda, District (Revenue And Civil) Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Anand Kesharwani, Advocate.
For Respondent/State : Mr. Amit Verma, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

19/11/2019

1. The Applicant has preferred this second bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 481/2019, registered at Police Station – Sarkanda, District (Revenue & Civil)- Bilaspur (C.G.) for the offence punishable under Sections 354, 454 of IPC and Section 08 & 12 of POCSO Act.
2. As per the prosecution story, on 20.05.2019, the mother of the prosecutrix lodged a report alleging therein that on 19.05.2019 she was in her home, the present Applicant entered in her house and tried to out-rage the modesty of her daughter who is aged about 08 years. On the basis of said, offence has been registered. The Applicant is in custody since 21.05.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He also submits that due to some dispute with the mother of the

prosecutrix, she lodged the report against the Applicant. He further submits that the Applicant has no previous antecedents, the Applicant is in custody since 21.05.2019, charge sheet has been filed and trial is likely to take some time. Therefore, he may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, particularly considering that the Applicant has no previous antecedents and he is in custody since 21.05.2019, charge sheet has been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- 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/-
(Arvind Singh Chandel)
Judge