

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7058 of 2019**

1. Gokul Sahu son of Gangaram Sahu, aged about 44 years.
2. Sonuram Nishad son of Khorbahra, aged about 36 years.

Both are resident of village Kachandur, Police Station –
Gunderdehi, District Balod (C.G.)

---- Applicants**Versus**

- State of Chhattisgarh Through : Station House Officer, Police
Station – Gunderdehi, District Balod (C.G.)

---- Respondent

For Applicants	:	Shri Aman Yadav, Adv.
For Respondent	:	Shri Anil Tripathi, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****19/12/2019**

1. The applicants have preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are arrested in connection with Crime No.390/2019, registered at Police Station – Gunderdehi, District Balod (C.G.) for the offence punishable under Sections 354/34 IPC and 8 of POCSO Act.
2. The allegation against the present applicants is that they used criminal force with intent to outrage the modesty of prosecutrix, who are minor. Based on this, offence has been registered. The present applicants have been taken into custody on 10.10.2019.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the case. He further submits that the applicants neither

made any criminal force nor outraged their modesty. He also submits that the applicants are in custody since 10.10.2019 and there is no likelihood of their case being decided in near future. Therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, gravity of offence and further considering the fact that the applicants are in custody since 10.10.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release them on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicants shall be released on bail on their executing a personal bond for a sum of Rs.25,000/- each with one solvent surety for the like amount to the satisfaction of the trial Court for their appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge