

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9904 of 2018**

Kamta Patel S/o Budhelal Patel Aged About 21 Years R/o Fekari, P. S. Utai, District Durg Chhattisgarh, District : Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Utai, District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Respondent

For the Applicant	:	Shri Praveen Dhurandhar, Advocate
For the State	:	Shri A.N. Bhakta, Dy. Adv. Gen.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.420/2018 registered at Police Station Utai, District Durg (C.G.) for the offence punishable under Section 354 of IPC and Section 8 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is about 16 years old. She is resident of village Fekari. On 09/11/2018 about 6.45 p.m. at village Fekari, applicant was going to see some programme. Applicant reached near her, caught hold her hand and kissed her.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge