

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9967 of 2018**

Amar Gupta S/o Shri Nandkishor Gupta, aged about 19 years Caste Gupta, R/o Village Lakhram, Police Station Ratanpur, Distt. Bilaspur (C.G.).

--- Applicant

Versus

State of Chhattisgarh Through the Station House Officer, Police Station Janjgir, District Janjgir Champa (C.G.)

---- Respondent

For Applicant	:	Mr. Rishi Rahul Soni, Advocate
For Respondent	:	Ms. Smita Ghai, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

16/01/2019

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 637/2018 registered at Police Station Janjgir (C.G.) for the offence punishable under Sections 354, 354 A, 354 B, 506, 507/34 of the IPC and Section 8 of the POCSO Act.
2. In this case, the Prosecutrix is a girl aged about 17 years. It is alleged that the Applicant used to talk with the Prosecutrix on mobile phone and made relation with her. He used to follow the Prosecutrix after the School. It is further alleged that on 14/10/2018 at about 5:30 pm, when the Prosecutrix was in garden, the Applicant, allegedly pressed her breast and made proposal for physical relation. On 15/10/2018 also, the Applicant made indecent indication towards the Prosecutrix and also threatened her to commit murder. On the basis of above act, report was made and offence has been registered against the

Applicant. The Applicant has been arrested on 24/10/2018.

3. Learned counsel appearing on behalf of the Applicant submits that there was love relation between the Applicant and the Prosecutrix and due to family pressure, a false allegation has been made against the Applicant. He further submits that the Applicant is in jail since 24/10/2018, therefore, he may be released on bail.
4. Counsel appearing on behalf of the State also opposes the bail application.
5. I have heard learned counsel for both the parties.
6. Considering the entire facts and circumstances of the case, particularly considering that the Applicant is in custody since 24/10/2018 and trial will likely to take some time, without further commenting on merit 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 his executing a personal bond for a sum of Rs. 20,000/- with one 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