

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 87 of 2020**

- Komal Singh Dhruw S/o Mahasingh Dhruw Aged About 50 Years R/o Village Manikchouri, Tahsil Abhanur, Police Station Gobra Nawapara, District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Gobra Nawapara, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. C. R. Sahu, Adv.
For Respondent/State	:	Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****13/02/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 388/2019 registered at Police Station-Gobra Nawapara, District - Raipur (C.G.) for the offence punishable under Sections 363, 366, 376 (2) of the IPC and 4, 6 of the POCSO Act.
2. The prosecution story, in brief is that, the complainant lodged a written complaint that the applicant along with another co-accused has forged signed instead of the Sarpanch in the Government document for digging the pond during 06.04.2016 to 19.04.2016, and fill up muster-role in the anme of absent workers. Based on this, offence has been registered against the present applicant and another co-accused person.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the co-accused has already

been granted bail in MCRC No. 7714/2019 so, the present applicant may also be granted benefit of bail. The applicant is in jail since 04.11.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the co-accused has already been granted bail and the applicant is in jail since 04.11.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

Sd/-
(Rajani Dubey)
Judge