

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 253 of 2020**

- Ashish Shrivastava, S/o Shiv Kumar Shrivastava, Aged About 47 Years, R/o Kohadiya Police Chowki Cseba Korba Police Station Kotwali Korba Presently Residing at Padimar Behind Bhadrappara School, Balco Nagar Tehsil & District- Korba Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through: Police Station- Balconagar, District- Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ashutosh Shukla, Adv.
For Respondent/State	: Mr. B. L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.02.2020**

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. 584/2019 registered at Police Station- Balconagar, District- Korba (C.G.) for the offence punishable under Sections 354, 506 of IPC and Section 8 of POCSO Act, 2012.
2. The prosecution story, in brief is that, it has been alleged that the applicant is the step father of the prosecutrix and they are living together since last 8-9 years together and there are number of complaints has come from the school teachers that the prosecutrix is not doing her home work properly as well as she is regularly misbehaving with the teacher and their colleagues in the school premises and the applicant being father has warned her not to repeat the same in the school and also slapped her and tried to outrage her modesty. Thereafter, offence has been registered against the present applicant.

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 applicant is in jail since 04.12.2019, 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, and further considering the facts that the applicant is in jail since 04.12.2019 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**