

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 273 of 2020**

- Vijay Kumar Agrawal S/o Late Prahlad Rai Aged About 50 Years R/o Vajpai Kesal. Minocha Colony, Police Station Civil Lines, District Bilaspur Chhattisgarh At Present R/o T.P. Nagar, Korba, District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Line, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant.	:	Mr. Manoj Paranjape, Advocate.
For Respondent/State	:	Mr. Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.02.2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 363/2018 registered at Station House Officer, Police Station Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 354, 454, 506 of IPC, and Section 8 of Protection of Children from Sexual Offences Act, 2012.
2. The prosecution story in brief is that, on 02.05.2018, when the prosecutrix was alone in the house at around 11.30 AM, the applicant entered the house of the prosecutrix and tried to outrage her modesty and even assaulted her. Based on this, after investigation, offence has been registered against the applicant and he has been arrested.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. Referring to **Annexure A/2** learned counsel would submit that the father and mother of the prosecutrix have submitted a letter before Inspector General of Police and Superintendent of Police to not take any further action against the applicant as the prosecutrix has told them that no offence was committed by the applicant. Furthermore, they filed their no objection affidavit (Annexure A/3). He further submits that there is no previous antecedent against him, 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, further considering the letter to Inspector General of Police and Superintendent of Police and affidavit filed by the parents of the prosecutrix, as 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 surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the said Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

Vijay Sahu