

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 865 of 2020**

- Laxminarayan Gupta @ Tikku Gupta S/o Shankarlal Gupta Aged About 30 Years R/o Ward No. 8, Patwapara, Takhatpur, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through :Station House Officer, Police Station Takhatpur District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Ms. Shital Soni along with Ms. Sunita Sahu, Adv.
For Respondent/State	:	Mr. Anurag Verma, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****05/03/2020**

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. 0383/2019 registered at Police Station - Takhatpur, District - Bilaspur (C.G.) for the offence punishable under Sections 294, 354, 354(ब), 506 of the IPC and 12 of POCSO Act.
2. The prosecution story, in brief is that, the complainant lodged a written complaint that between 01.11.2019 and 01.12.2019 since last month the applicant had been following the complainant and teasing her with filthy language and threatened that if complainant will not talk to him, he will do something wrong with the complainant. Based on this, 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. She further submits that the applicant is in jail since

09.01.2020, 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 applicant is in jail since 09.01.2020 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**