

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1108 of 2020**

- Homesh Satnami S/o Devsharam Satnami, aged about 18 years, R/o village Tarseeva, P.S. Arjuni, District Dhamtari (C.G.).

---- Applicant**Versus**

- State Of Chhattisgarh Through- The Station House Officer, Police Station Arjuni, Tahsil and District Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	:	Smt. Indira Tripathi, Advocate
For Respondent	:	Shri Akhtar Hussain, P.L.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.315/2019, registered at Police Station - Arjuni, District Dhamtari (C.G.) for the offence punishable under Sections 452, 354, 506, 354-D IPC and Sections 8 & 12 of POCSO Act, 2012 (wrongly mentioned as Section 18 of POCSO Act 2012 in impugned order).
2. The allegation against the present applicant is that on 26.12.2019, the applicant, taking the advantage of loneliness, entered the house of prosecutrix, who is minor, and tried to outrage her modesty. When the father of prosecutrix saw the applicant and slapped him, the applicant threatened him of dire consequence. Based on this, offence has been registered. The present applicant has been taken into custody on 27.12.2019.
3. Learned counsel for the applicants submits that the applicant

is innocent and has been falsely implicated in the case. She further submits that the prosecutrix is still sending love letter to the applicant. She also submits that the applicant is in custody since 27.12.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 27.12.2019 and the trial is likely to take some time, without further commenting on merits 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.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge