

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2093 of 2020

- Girish Kumar Nishad @ Monu Nishad S/o Bhuneshwar Nishad Aged About 21 Years R/o Village Padmawatipur, Police Station And Tahsil Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Chhuikhadan, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

 For Applicant : Shri Abhishek Sharma, Advocate
 For Respondent/State : Shri Vimlesh Bajpai, Govt. Advocate

Hon'ble Smt.Justice Rajani Dubey
Order On Board

18.5.2020

1. Heard.
2. Admit.
3. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.59/2020, registered at Police Station Chhuikhadan, District Rajnandgaon(CG) for the offence punishable under Sections 341, 354, 354(A)(1(i), 354(A)(ii), 294, 34 of the IPC and Sections 11, 12 of the Protection of Children from Sexual Offences Act, 2012.
4. As per the case of prosecution, the prosecutrix, who is minor has lodged a report that when she was returning to home, near Gandhi Chowk the present applicant along with one Harish

stopped her and caught her hand with intention to outrage her modesty and when she shouted, she ran away.

5. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case on account of some dispute. He submits that the applicant is in custody since 12.3.2020 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
6. On the other hand, learned counsel for the State opposes the bail application.
7. Perused the entire material available on record.
8. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and the detention period of the applicant, I am of the opinion that present is a fit case to release the applicant on bail.
9. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
10. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.
11. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE