

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 2139 of 2020

- Kamesh Rao S/o Ganpat Rao Aged About 20 Years Caste Mahara R/o Sanjay Gandhi Ward Jagdalpur, District Bastar Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Bodhghat District Bastar Chhattisgarh

---- Non-applicant

For Applicant : Mr. Vikas A. Shrivastava, Advocate.

For Non-applicant/State : Mr. Chandresh Shrivastava, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-06-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 22.02.2020 in connection with Crime No.24/2020, registered at Police Station- Bodhghat, District- Bastar, C.G. for offence punishable under Sections 354, 352/34 and 457 of I.P.C. and Section 08 of POCSO Act, 2012.
2. It is submitted by learned counsel for the applicant that the applicant is in jail since 22.02.2020 and has been falsely implicated in this case. One of the co-accused has been granted bail by the Co-ordinate Bench of this Court. Charge-sheet has also been filed. Therefore, it is prayed that the applicant may be granted bail.
3. Learned counsel for the State/non-applicant formally opposes the application.
4. Heard learned counsel for the parties and perused the case diary.

5. As per the prosecution case, the allegation against this applicant is this that he used to follow and stop the victim and then on the date of incident, he committed house trespass in the house of the victim and then by use of physical force, outraged her modesty.
6. Considering that the applicant is in jail since considerable time and there is likelihood of delay in trial, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge