

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3141 of 2020

- Priyesh Gupta S/o Pritam Gupta Aged About 30 Years R/o Ward No. 06, NTPC Sepat, District-Bilaspur Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station New Rajendra Nagar, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Awadh Tripathi, Advocate.
For State/respondent	: Mr. Vivek Ranjan Tiwari, Addl. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/06/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.109/2020 registered at Police -Station-New Rajendra Nagar, District-Raipur(C.G.) for the offence punishable under Section 354D of IPC and Section 12 of POCSO Act.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The applicant is in jail since 10.3.2020. The applicant has not committed any offence. The charge-sheet has also been filed, therefore, it is prayed that he may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, on the date of incident when the minor victim was celebrating the festival of "Holi" the applicant stalked the minor victim of age about 13 years and then by use of physical force outrage her modesty. Hence, this case.
6. After considering the facts and circumstances of this case and also that the charge-sheet has been filed, I feel inclined to allow the bail application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha