

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3358 of 2020**

- Dakesh Vaishnav, S/o Purushottam Vaishnav Aged About 21 Years R/o Kumhardaniya Chowki Bazaar Charbhantha, Police-Station-Kawardha District-Kabirdham, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kawardha Outpost Bazaar Charbhantha, District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicant	: Mr. Abhishek Sharma, Advocate.
For State/respondent	: Mr. Ravi Bhagat, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****18/06/2020**

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.507/2019 registered at Police -Station-Kawardha, District-Kabirdham(C.G.) for the offence punishable under Section 354(A) of IPC and Sections 7 & 8 of POCSO Act, 2012.
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 24.11.2019. No case is made out against the applicant. The prosecutrix has also been examined before the trial Court and she has been declared hostile by the prosecution, 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. As alleged, this applicant had stalked and used physical force on the prosecutrix to outrage her modesty.
6. After perusing the copy of statement of prosecutrix filed along with the petition and also looking to the period of detention this applicant undergone in jail and that the trial is still pending, 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