

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3736 of 2020**

Deepak Banjare S/o Mohan Banjare Aged About 18 Years Niwasi- Khudu Bhatha, Jairam Nagar Masturi, Thana Masturi, District Bilaspur, Chhattisgarh. Hall Mukam- Chilhati Thana Sarkanda, Tahsil And District Bilaspur Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- Arakshi Kendra Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Amit Kumar, Advocate.
For the Respondent/State : Shri Ravish Verma, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****03.07.2020**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.526 of 2020, registered at Police Station – Sarkanda, District – Bilaspur, Chhattisgarh for the offence punishable under Sections 354, 323 and 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that the applicant is in jail since 28.5.2020 and has been falsely implicated in this case. False FIR has been lodged against the applicant. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the statement of the prosecutrix is clear and categoric against the applicant. Hence, for this reason, he is not entitled for grant of bail.

4. Heard counsel for both the parties and perused the case diary.

5. As per the FIR lodged, at 1.00 am in the night on the date of incident, it is alleged that this applicant made a phone call to the minor victim expressing his love and asking her to visit him in a lonely place by putting her under threat. When the victim went to the place of meeting, she was assaulted and molested by the applicant. Hence, the FIR has been lodged.

6. Considering the fact that the applicant is in jail since 28.5.2020 and also looking to the likelihood delay in conclusion of trial against the applicant, I feel inclined to grant regular bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that 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 trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge