

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3930 of 2020

- Deepak Nishad S/o Late Nand Kishor Nishad Aged About 26 Years R/o Tehsil And District Durg Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, District Durg Chhattisgarh.

---- Respondent

For Applicant	: Mr. Avinash Chand Sahu, Advocate.
For State/respondent	: Mr. Raveesh Verma, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

25/06/2020

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.304/2020 registered at Police -Station-Supela, District-Durg(C.G.) for the offence punishable under Sections 294, 526, 323, 354, 354(क) of IPC and Section 08 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 18.05.2020. No case is made out against the applicant, 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 per the prosecution case, on the date of incident this applicant firstly abused the minor prosecutrix and then by use of physical force, he assaulted her and outraged her modesty. It is alleged, that the applicant also threatened her regarding which FIR has been lodged.
6. Considering that the investigation is nearing completion and the applicant is in jail about one month, 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