

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6350 of 2020

- Ramshankar Dhiwar @ Dani Dhiwar S/o Munchu Dhiwar Aged About 40 Years Resident Of Village Kera, Police Station Nawagarh, District Janjgir Champa Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer , Police Station Nawagarh, District Janjgir Champa Chhattisgarh.

---- Respondent

For Applicant	: Mr. Santosh K. Verma, Advocate.
For State/respondent	: Mr. Vimlesh Bajpai, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

29/10/2020

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.162/2019 registered at Police-Station-Nawagarh, District-Janjgir-Champa(C.G.) for the offence punishable under Sections 354, 454 of IPC and Section 8 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 16.5.2020.No case is made out against the applicant. Charge-sheet has also been filed, hence, 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, it is alleged that on the date of incident this applicant made forcefully entry in the house of minor victims and then disrobed one of the victims and thus outraged their modesty.
6. Considering that the charge-sheet has been filed and the applicant is in jail since about more than five months and also there is likelihood of delay in conclusion of trial, therefore, I am of the view that it would be proper to release the applicant on regular bail. Hence, I feel inclined to grant bail to the applicant in this case.
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