

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.7958 of 2020

- Surendra @ Chintu S/o Rameshwar Singh Aged About 22 Years R/o Village Pivari (Uparpara), P.S. And Tehsil Ramanujnagar, District Surajpur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, P.S. Ramanujnagar, District Surajpur (Chhattisgarh)

---- Non-applicant

For Applicant : Mr. Shakti Raj Sinha, Advocate.

For Non-applicant/State : Mr. Gurudev I. Sharan, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-12-2020

1. Heard on the application filed under Section 439 of the Cr.P.C. The applicant has been arrested on 29.08.2020, in connection with Crime No.149/2020, registered at Police Station- Ramanujnagar, District- Surajpur, C.G. for offence punishable under Sections 452, 354 and 323 of I.P.C. and Section 08 of POCSO Act.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in the case because of the enmity with the complainant. The applicant is in jail since 29.08.2020. Charge-sheet has been filed after completion of investigation, hence, it is prayed that this application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application and submits that looking to the statement of witnesses present in the case against this applicant, he is not entitled for grant of bail.
4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, on the date of incident, this applicant forced his entry into the house of the minor victim and then by holding her hand, he tried to pull her. The brother of the victim came on the spot and intervened, subsequent to which, this F.I.R. was lodged.
6. Considered on the submissions, the investigation of this case is complete and the case is pending for trial and there is no requirement to keep the applicant in continued detention, therefore, I feel inclined to allow this application.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for his appearance as and when directed, on condition as imposed by the concerned Court.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge