

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7320 of 2019

- Haricharan Bhoi S/o Krishna Bhoi Aged About 52 Years Caste Kolta, R/o Village And Post Potka, P.S. Singhoda, Tahsil Saraipali, District Mahasamund, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station Singhoda, Civil And Revenue District Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Shri Chandra Kumar, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/01/2020

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody in connection with Crime No.80/2019 registered at police station Singhoda, district Mahasamund (CG) for the offence punishable under Section 354 IPC and Section 10 of the Protection of Children from Sexual offences Act, 2012.

As per case of the prosecution, report was lodged by the prosecutrix alleging that the applicant had made an attempt to outrage her modesty.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the first bail application was withdrawn with liberty to revive after the evidence of the prosecutrix. He submits that the prosecutrix has turned hostile and the applicant is in jail since 15.06.2019 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail application.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicant, I am inclined to release him on regular bail. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned Court, he shall be released on bail.

Sd/-
(Rajani Dubey)
Judge