

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7177 of 2019**

- Akash Das Suryawanshi S/o Kameshwar Das, aged about 19 years, R/o Indra Nagar, Jamnipali Jhopdipatti, Police Station Darri, District Korba (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Outpost Rampur, Police Station Kotwali, Korba (C.G.)

---- Respondent

For Applicant	:	Shri R.K. Kesharwani, Adv.
For Respondent	:	Shri Vinod Tekam, P.L.

Hon'ble Smt Justice Rajani Dubey**Order on Board****06/01/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.539/2019, registered at Police Station – Outpost Rampur, P.S. Kotwali, Korba (C.G.) for the offence punishable under Sections 354, 354(d), 323 IPC and Sections 8 & 12 of POCSO Act.
2. The allegation against the present applicant is that when the prosecutrix was going to tuition class, the applicant used to follow her and when she objected the same the applicant used to say that he loves her very much and wants to marry. Further, the applicant caught hold of hands of the prosecutrix with intent to outrage her modesty, dragged her towards clock tower and slapped her. Based on which, offence has been registered. The present applicant has been taken into custody on 01.09.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that there is delay in lodging the FIR and the same has been filed only when the prosecutrix and her parents were provoked by other. He also submits that the applicant is in custody since 01.09.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the applicant is in custody since 01.09.2019, charge sheet has been filed and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge