

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7678 of 2019**

- Roopchand Chandra S/o Shri Keshav Prasad Chandra Aged About 29 Years, R/o Village Shikarinar, Post Kotetara, Police Station And Tehsil Jaijaipur Civil And Revenue District Janjgir-Champa, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : Officer In Charge, Police Station Jaijaipur Civil And Revenue District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. K. N. Ansari along with Mr. Ramesh Nayak, Adv.
For Respondent/State	:	Mr. Akhtar Hussain, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****20/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 158/2019 registered at Police Station-Jaijaipur, District - Janjgir-Champa (C.G.) for the offence punishable under Sections 294, 323, 354, 506, 34 of the IPC and 8 of POCSO Act.
2. The prosecution story, is that on 13.09.2019 the complainant lodged a report that on 12.09.2019 when his daughter was alone in the house taking advantage of the situation the accused/applicant came from behind and grabbed her. On 13.09.2019 about 8:00 pm he called the applicant at Ganesh Pandal then applicant started scolding to him and threaten to kill, at that time the uncle of the applicant namely Navadau Chandra along with cousin of the applicant and one another also started scolding and threatening to

him. Based on this, offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 18.10.2019, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the applicant is in jail since 18.10.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**