

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7782 of 2019

- Shrikant @ Phonu S/o Shri Mansingh Sidar Aged About 21 Years R/o Village - Bareli (Kauatal) Thana - Seepat , Civil And Revenue District - Bilaspur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station - Seepat District - Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Shri Sumit Shrivastava, Advocate
For Respondent/State	: Shri Akhtar Hussain, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

21/01/2020

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. 389/2019 registered at police station Seepat, district Bilaspur (CG) for the offence punishable under Sections 456 and 354 IPC and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, report was lodged by the prosecutrix alleging that on the date of incident when she was alone in her house, applicant jumped inside from the wall and tried to outrage her modesty.

Counsel for the applicant submits that the applicant has been

falsely implicated in the case. He further submits that the applicant and the prosecutrix were having love affair and when they were seen together by her family members, a false report has been lodged. Lastly, he submits that the applicant is in jail since 12.11.2019 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