

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8222 of 2019**

Bholu @ Vinod Jangde, aged 26 years, S/o Shri Ramadhar Jangde, R/o Vill:
Nawagaon, P.S. Seepath, Tah: Masturi, Distt : Bilaspur (C.G.) (In jail)

---- Applicant**Versus**

State of Chhattisgarh, Through : P.S. Seepat, Distt. - Bilaspur (C.G.)

----Non-applicant

For Applicant : Mr. Shed Ishhadil Ali, Advocate.
For Non-applicant/State : Mr. Anurag Verma, Panel Lawyer.

Hon'ble Smt. Justice Rajani Dubey**Order On Board****10/02/2020**

(1) The accused/applicant has preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing him on regular bail during trial in connection with Crime No. 334/2019 registered at police Station Seepat, District Bilaspur for the offence punishable under Sections 354, 294, 506 and 323 of the Indian Penal Code and Section 8 of the POCSO Act.

(2) Case of the prosecution, in brief, is that on 12.09.2019 at about 4.30 p.m., when the complainant returning home from her school, accused near Nawagaon Chowk came there and said 'Darling' to her and, thereafter, pulled her peak from behind and throw *Gulal* on her face, as a result thereof, the complainant shouted for help then her family members came there and call the police and thereafter he has been arrested.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as there is no evidence available on record to connect the applicant with the crime in question. He further submit that applicant is in detention since 29.09.2019; charge sheet has already been filed and the trial is likely to take some time for its final disposal and,

therefore, the applicant be released on bail.

(4) On the other hand, learned counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; particularly the facts that applicant is in detention since 29.09.2019; charge sheet has already been filed 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 released the applicant on bail.

(6) Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that on 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, the applicant shall be released on bail, subject to following conditions:

- That, the applicant shall furnish a specific undertaking that while on bail, he will not commit any offence, otherwise bail granted to him shall be liable to be cancelled and shall co-operate the prosecution during trial.
- That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required and the accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.
- That, the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

D/-

