

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8202 of 2019**

- Lukeshwar Sahu, S/o Maneshwar Sahu, Aged About 24 Years, R/o - Rampur, Bhakhara, District- Dhamtari Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh, Through: Station House Officer, P.S. Bhakhara, District- Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Sunita Sahu, Adv.
For Respondent/State	: Mr. B. L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****04.02.2020**

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. 216/2019 registered at Police Station- Bhakhara, District- Dhamtari, (C.G.) for the offence punishable under Sections 354, 323, 506-B of I.P.C. and Section 8 of POCSO Act.
2. The prosecution story, in brief is that, the complainant has lodged a report alleging that on 29.10.2019, when his minor daughter was seeing mobile seating in E-Rickshaw and at that time, at about 9.30 P.M., applicant has taken the prosecutrix in courtyard on the pretext of marriage and tried to outrage her modesty. Thereafter, 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. She further submits that the applicant is in jail since 31.10.2019, 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, and further considering the facts that the applicant is in jail since 31.10.2019 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**