

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 259 of 2020**

- Dularpuri Goswami S/o Laxman Puri Goswami Aged About 60 Years R/o Infront Of Apollo Hospital Ram Nagar Lingiyadih, Police Station Sarkanda, Tahsil Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Police Station Sarkanda, Tahsil Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Curtis Collins, Adv.
For Respondent/State	:	Mr. Vaibhav K. Agrawal, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25/02/2020**

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. 881/2019 registered at Police Station-Sarkanda, District - Bilaspur (C.G.) for the offence punishable under Sections 354-B of the IPC and 7 & 8 of POCSO Act.
2. The prosecution story, in brief is that, complainant mother of the victim lodged a written complaint that light fitting work was carried out in her new house by the applicant and on 27.09.2019 at about 5:30 pm., when her daughter was gone to take the utensil to the newly constructed house at that time the applicant touched complainant's daughter and trying to remove her clothes, anyhow victim escaped from the spot and narrated to her mother about the incident. 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 28.09.2019, 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 28.09.2019 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