

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8446 of 2019**

- Balaram @ Bala Sahu, son of Kumar Sahu, aged about 20 years, resident of Kukera, Chowki, Silyari, P.S. Dharsiwa, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Dharsiwa, District Raipur (C.G.)

---- Respondent

For Applicant	:	Ms. Sunita Sahu, Adv.
For Respondent	:	Shri Akhtar Hussain, P.L.

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

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.603/2019, registered at Police Station – Dharsiwa, District Raipur (C.G.) for the offence punishable under Sections 456, 506B and 354 IPC & Section 8 of POCSO.
2. The prosecution story, in brief, is that complainant/prosecutrix, who is minor, made a written report at Police Station Dharsiwa alleging therein that on 10.12.2019 at about 11.10 PM, the applicant entered her house, caught hold of her hands, gagged her mouth and threatened to kill. When she raised alarm, her father woke up and seeing him the applicant flee from the spot. Based on this, offence has been registered. The present applicant has been taken into custody on 13.12.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. She

further submits that due to previous enmity, the complaint has been lodged against him. She also submits that the applicant is in custody since 13.12.2019, he is ready to furnish adequate surity and shall abide by all the directions and conditions which may be imposed by the Court. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 13.12.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge