

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8483 of 2019**

- Manohar Shekhar S/o Dilip Shekhar, aged about 21 years, R/o village Dhuma-Shantipur, Police Station – Takhatpur, District Bilaspur (C.G.).

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Sanjeev Kumar Sahu, Advocate
For Respondent	:	Smt. Reena Singh, 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.229/2019, registered at Police Station – Takhatpur, District Bilaspur, (C.G.) for the offence punishable under Sections 452, 354, 506 IPC and Section 8 of POCSO Act, 2012.
2. The allegation against the present applicant is that on 17.07.2019, the applicant, taking the advantage of loneliness, entered the house of prosecutrix, who is minor, with an intention to outrage her modesty, caught hold of her hands, forcibly gave her a love letter and also threatened her for life. Based on this, offence has been registered. The present applicant has been taken into custody on 11.12.2019.
3. Learned counsel for the applicants submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the family members of the applicant and prosecutrix are close to each other and it is the prosecutrix

who called the applicant to her house for some work and he has not committed any offence. He also submits that the prosecutrix is major. The applicant is in custody since 11.12.2019 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application. Learned counsel submits that the prosecutrix is aged 17 year and 4 months.
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 prosecutrix is aged 17 year and 4 months, the applicant is in custody since 11.12.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant 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