

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1351 of 2021

- Dinesh @ Ledwa (Dinesh Kumar Ram) S/o Kisun Devram, aged about 22 years R/o Hariharpur, P.S. Ramchandrapur, District- Balrampur Ramanujganj (C.G.)

---- Applicant

Versus

- State Of Chhattisgarh through Police Station Ramchandrapur, District Balrampur Ramanujganj (C.G.)

---- Respondent

For Applicant	:	Mr. Akath Kumar Yadav, Advocate
For Respondent/State	:	Mr. Sameer Uraon, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

06/07/2021

Heard.

1. This is the *first* bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No. 49/2020 registered at Police Station Ramchandrapur, Balrampur- Ramanujganj (C.G.) for the offence punishable under Sections 354, 354(A), 323 and 506 (B) of the IPC and Section 8 of the POCSO Act.
2. It is submitted that the applicant is innocent who has been falsely implicated in this case. He is in jail since 17/10/2020, charge-sheet has been filed and trial is likely to take some time, therefore, he may be released on bail.
3. Per contra, learned State counsel opposes the bail application and submits that looking to the evidence available against this applicant, he

is not entitled to get bail.

4. The victim and her mother, both are virtually present before this Court through the help desk of DLSA, Balrampur. They have objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per prosecution case, on the date of incident the applicant made a proposal to the minor victim aged about 12 years that he loves her and wants to marry her. The applicant also tried to give her a mobile phone. The victim refused to take the mobile phone, due to this the applicant slapped her, threatened her and also caught hold her with an intention to outrage her modesty.
7. Considered on the submissions. Taking into consideration the length of detention the applicant has undergone so far and there is likelihood of delay in conclusion of trial, I feel inclined to allow this bail application and release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge