

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4588 of 2021**

- Suraj Kumar Lahre, S/o Ulewan Kumar Lahre, Aged About 23 Years, R/o Dondekala, Bazar Chowk, Police-Station-Vidhan Sabha, District-Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, P.S. Vidhan Sabha, District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. S.P. Sahu, Advocate.
For State/respondent	: Mrs. Hamida Siddiqui, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****16/08/2021**

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.321/2020 registered at Police-Station-Vibhan Sabha, District-Raipur(C.G.) for the offence punishable under Sections 354, 294, 323, 506 of IPC and Section 12 of POCSO Act, 2012.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. He is in jail since 22.11.2020. The victim and the other witnesses have been examined in the trial and they have not supported the prosecution case, therefore, it is prayed that this applicant may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that diary statement present is clearly against the applicant, hence, the application be rejected.
4. The victim had virtually appeared before this Court through the 'Help Desk' of DLSA Raipur on 9.8.2021. She had stated that she has no objection in grant of bail to this applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per prosecution case, it is alleged that on the date of incident because of some dispute this applicant assaulted the minor victim causing injuries on various parts of the body and he also made attempt to disrobe her. Hence, this case.
7. Considered on the submissions. Looking to the nature of allegations against the applicant and also the witnesses examined in the trial, who has not supported the prosecution case, I feel inclined to allow the application of this applicant.
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