

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4992 of 2021**

- Deepak Dhurve, S/o Chandar Dhurve Aged About 20 Years R/o Village Buchipara, Police Station and Tahsil Pandariya, District Kabirdham Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Sihava, District-Dhamtari, Chhattisgarh

---- Respondent

For Applicant	: Mr. Kunal Das, Advocate.
For State/respondent	: Mrs. Smriti Shrivastava, Panel Lawyer.

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.21/2021 registered at Police-Station-Sihava, District-Dhamtari(C.G.) for the offence punishable under Sections 354(D), 509(B) 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 29.06.2021. False FIR has been lodged because of the enmity with complainant. The trial is likely to take some time, 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 clear evidence is present against this applicant regarding his prosecution of the offence registered, hence, the application be rejected.
4. The complainant had virtually appeared before this Court through the 'Help Desk' of High Court on 4.8.2021. He had stated that he 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 this applicant stopped the minor prosecutrix by making repeated phone calls to her expressing his love for her and, thus, he harassed her, regarding which FIR has been lodged.
7. Considered on the submissions. The case is now pending for trial and the trial is likely to take some time, for these reasons, 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