

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7304 of 2021**

- Dipam Baghel, S/o Ishwarchand Baghel, Aged About 34 Years, R/o Indira Nagar, Ward No. 5, Thana Dongargarh, District-Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Dongargarh, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Samir Singh, Adv.
For Respondent/State	:	Mr. Anurag Verma, P.L.
For Complainant	:	None though notice has been served

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.11.2021**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing him on regular bail during trial in connection with Crime No. 482/2021 registered at Police Station- Dongargarh, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 323, 354 of IPC and Section 12 of Protection of Children from Sexual Offences Act, 2012.
2. As per the case of the prosecution, on 22.08.2021, the mother of the prosecutrix lodged a written complaint alleging that on the date of incident applicant caught hold of hand of the prosecutrix and tried to outrage her modesty and also abused her in filthy language. Thereafter, offence has been registered against the applicant and he has been taken into custody.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since

23.08.2021, charge-sheet has been filed, there is no likelihood of his case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application and submits that the offence committed by the applicant is of serious in nature, therefore, no case is made out for grant of bail to the applicant.
5. I have heard learned counsel for the parties and perused the record.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that applicant is in jail since 23.08.2021, charge-sheet has already been filed, the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on his executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given to him by the said Court.

**Sd/-
(Rajani Dubey)
Judge**

R/-