

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.9350 of 2020

- Ramkesh Gond, S/o Ram Manohar Singh Gond, Aged About 32 Years
Caste - Gond, R/o - Village Sirkhola, Police Station - Janakpur, District -
Koriya Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station
- Janakpur, District - Koriya Chhattisgarh

---- Non-applicant

For Applicant : Mrs. Mandavi Bhardwaj, Advocate.

For Non-applicant/State : Mr. Chitendra Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-03-2021

1. Heard on the application filed under Section 439 of the Cr.P.C. This is the first bail application filed for grant of regular bail. The applicant has been arrested on 24.10.2020, in connection with Crime No.144/2020 registered at Police Station-- Janakpur, District- Koriya, C.G. for offence punishable under Section 354, 354 (B) of I.P.C. and Section 08 of POCSO Act.
2. It is submitted by the learned counsel for the applicant, that the applicant is innocent and has been falsely implicated in this case. F.I.R. lodged against this applicant is totally false. He is in jail since 24.10.2020. Charge-sheet has been filed. Therefore, it is prayed that this applicant may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that the age of the victim was below 12 years. The

allegation against this applicant is of serious nature, therefore, he is not entitled for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, it is alleged that on the date of incident, this applicant outraged the modesty of the minor victim of age below 12 years and he also attempted to disrobe her. After the alarm was raised by the minor victim, the applicant fled from the spot. Hence, this case.
6. Considered on the submissions. For the reason that the charge-sheet has been filed and the case is now pending for trial, I find no specific reason to keep the applicant in continuous detention.
7. Consequently, this application filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with two local surety each in the like sum to the satisfaction of the concerned Court, for his appearance as and when directed.
8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge