

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6031 of 2018**

Dhanaram Sahu @ Chhotu, S/o late Ram Kumar Sahu, aged about 21 years, R/o Ward No.8, Mahamayapara, Nevra, Post Office & Police Station Nevra, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through the Station House Officer, Police Station Nevra, District Raipur (CG).

---- Non-applicant

For Applicant : Mr. Shivendu Pandya, Advocate.

For Non-applicant : Mr. Sumit Jhanwar, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26.09.2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with Crime No.167/2018 registered at Police Station Nevra, District Raipur for the offence punishable under Sections 363, 366, 376 of IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that on 20.05.2018 the prosecutrix was aged about 17 years. She is resident of Village Bhairavgarh. On 20.05.2018 the applicant took away the prosecutrix on the pretext of marriage and they went to Durg to perform marriage. There was a love affairs between them. Thereafter, the applicant

committed sexual intercourse with the prosecutrix.

4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case and, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant. However, he further submits that no criminal antecedent is reported against the applicant in the police case diary.
6. I have heard counsel for the parties and perused the case diary with utmost circumspection.
7. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties each for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the concerned Trial Court with this condition that will not involve himself in any of the crime in future, he be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-