

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6753 of 2018**

- Anil Kumar @ Anil Singh Gond S/o Ramcharan Gond Aged About 25 Years R/o Sonpur Bhuiyari Para Police Station Surajpur District Surajpur CG ---- **Applicant**

Versus

- State Of Chhattisgarh Through Station House Officer Police Of Police Station Surajpur District Surajpur CG ---- **Respondent**

For applicant	Mr. C.P. Lahrey, Adv.
For Respondent/State	Mr. S.K. Mishra, PL

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****30-10-2018**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 189/2018 registered in police station Surajpur, Distt. Surajpur (CG) for offence punishable under Section 363, 366, 376, IPC, Section 4 and 6 of POCSO Act.
3. Prosecution story in brief is that the prosecutrix is more than 16 years of age. She is resident of village Sonpur. There was love affair between the applicant and the prosecutrix since two years back. There was physical relationship between them. On 25-5-2018 she left her parental house and accompanied the applicant. He took her to the house of his *Bade Papa* and committed sexual intercourse with her.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he submits that no criminal antecedent of the applicant is reported in the police case diary.

6. Looking to the above facts and circumstances of the case, and as trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge