

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7178 of 2018**

- Ajay Pratap Udde S/o Ramanuj Aged About 26 Years R/o Village Ghaghara, Thana Pendra, Distt. Bilaspur, CG

---- Applicant

Versus

- The State Of Chhattisgarh Through Police Station Pendra, Distt. Bilaspur, CG

---- Respondent

For applicant	Mr. Sameer Singh, Adv.
For Respondent/State	Mr. Neeraj Sharma, Dy. GA

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****27-10-2018**

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. 196/2018 registered in police station Pendra Distt. Bilaspur (CG) for offence punishable under Section 376, IPC, Sect. 4 and 6 of Indecent Representation of Women (Prohibition) Act, 1986 and Section 67 and 64A of the Information Technology Act, 2000.
3. Prosecution story in brief is that prosecutrix is aged about 22 years. She is resident of village Patarkhai. Applicant is Devar of sister of the prosecutrix. Prosecutrix was in telephonic contact with the applicant. On 5-5-2018 she had gone to the house of the applicant where he forcibly committed sexual intercourse with her. Thereafter he sent nude photograph of the prosecution on her mobile. Then she submitted an application to the police against the applicant.
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