

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7121 of 2018**

Karan Nishad S/o Sahorik Nishad Aged About 25 Years R/o Village Karra, Police Station Masturi, District (Revenue And Civil) Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Sirgitti, District (Revenue And Civil) Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anand Kesharwani, Advocate
For the State	:	Shri Satish Gupta, G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/12/2018**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.29/2018 registered at Police Station Sirgitti, District Bilaspur (C.G.) for the offence punishable under Section 363, 366, 376 of IPC and Section 05, 06 of POCSO Act.
3. Case of the prosecution, in brief is that on 29/01/2018 prosecutrix was more than 17 years old. She is resident of village Yadav Nagar, Tifra. On 29/01/2018 applicant and co-accused Sahdev took her. Co-accused Sahdev committed sexual intercourse with her.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge