

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7176 of 2018**

- Akhilesh Sahu S/o Saukhilal Sahu Aged About 23 Years Residing At Village Jalso, P.S. Koni, District - Bilaspur, CG

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Koni, District - Bilaspur, CG

---- Respondent

For applicant	Mr. PK Tulsiyan, Adv.
For Respondent/State	Mr. RK Pandey, PL.

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. 378/2017 registered in police station Koni, Distt. Bilaspur (CG) for offence punishable under Section 363, 366, 376 of IPC and S. 4 of the POCSO Act.
3. Prosecution story in brief is that on 18-11-2017 prosecutrix was more than 16 years of age. She is resident of village Jalso. On 18-11-2017 the applicant took her away on the pretext of marriage and committed sexual intercourse with her. Thereafter he did not perform marriage 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