

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7564 of 2018**

Ashwani Yadav S/o Parsadi Yadav Aged About 19 Years R/o Mathpara,
Near Panchmukhi Hanuman Mandir, Kawardha, Police Station-
Kawardha, District- Kabirdham, Chhattisgarh., District : Kawardha
(Kabirdham), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police station-
Kawardha, District- Kabirdham, Chhattisgarh., District : Kawardha
(Kabirdham), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Dharmesh Shrivastava, Advocate
For the State	:	Shri Satish Gupta, G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

28/11/2018

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.432/2018 registered at Police Station Kawardha, District Kabirdham (C.G.) for the offence punishable under Sections 506, 509 B of IPC and Section 12 of POCSO Act and Section 67-A of Information & Technology Act.
3. Case of the prosecution, in brief is that the prosecutrix is aged about 17 years old. She is resident of village Ravidas Nagar, Kawardha. On 17/09/2018 applicant given threatening to the prosecutrix by mobile that if she will not go with her then he will get kill by his friends. He used to abuse her and send the obscene messages.
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 two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with a condition that he will not commit any offence in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge