

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8229 of 2018

- Devendra Kumar Goswami S/o Tulsiram Goswami, Aged About 22 Years R/o Ward No. 13, Chhuriya, Police Station And Tahsil Chhuriya, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Chhuriya, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant : Mr. A. Sharma, Advocate.

For Non-applicant : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board28.11.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 142/2018 registered at Police Station – Chhuriya, District Rajnandgaon (C.G.) for the offence punishable under Sections 363, 366(A), 34 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 11.09.2018 the prosecutrix was 17 years. She is resident of village Chhuriya. Applicant had told her on telephone that he wants to marry with her. On very day, she left her parental house and went to meet with him, thereafter, applicant took her forcibly to Dongargarh, Rajnandgaon, Durg and Bilaspur.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these 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 Trial Court with the condition that he will 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