

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8767 of 2018**

Basant Singh S/o Ganesh Ram Aged About 20 Years R/o Pandri Dand,
P.S. Udaipur, District- Surguja, Chhattisgarh., District : Surguja
(Ambikapur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- The Station House Officer Udaipur,
District- Surguja, Chhattisgarh., District : Surguja (Ambikapur),
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sanjeev Sahu, Advocate
For the State	:	Shri S.K. Mishra, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/11/2018**

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.69/2017 registered at Police Station Udaipur, District Surguja (C.G.) for the offence punishable under Section 363, 366, 376(2)(a) of IPC and Section 5(a)/6 of POCSO Act.
3. In brief the prosecution story is that on 26/03/2017 prosecutrix was more than 19 years old. She is resident of village Pandridand. On 26/03/2017 applicant took her by enticing on pretext of marriage and committed repeatedly 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