

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8513 of 2018**

- Pradeep Verma S/o Gajraj Verma Aged About 23 Years R/o- Hadaruk P.S.- Kuthond, District- Jalon, Village- Kathari, P.S. Satti, District Kanpur Dehat At Present- Kailashnagar Kawardha Tahsil Kawardha, Civil And Revenue District- Kabirdham, CG

---- Applicant**Versus**

- State Of Chhattisgarh Through- P.S. Bodala, Civil And Revenue District- Kabirdham, CG

---- Respondent

For applicant	Mr. Dinesh Tiwari, Adv.
For Respondent/State	Mr. Ashok Swarnkar, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****28-11-2018**

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. 159/2018 registered in police station Bodala, Distt. Kabirdham (CG) for offence punishable under Sections 363, 366, 376, IPC and Section 3 and 4 of the POCSO Act.
3. Prosecution story in brief is that on 25-8-2018, prosecutrix was more than 16 years old. She is a resident of village Dodahi. On 27-8-2018, applicant took her to Kawardha by enticing on the pretext of marriage. Thereafter he took her to Rajnandgaon, Jhanshi, village Hardok, Kathari and committed sexual intercourse with her. As per true copy of the statement of the prosecutrix recorded under Section 161 of the Cr.P.C. she and he liked each other. She has asked him to flee. He has committed sexual intercourse with her on her wish and will.
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 State Counsel 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, 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, he be released on bail.
7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge