

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 8668 of 2018

- Md Imran Alias Sattar S/o Md. Sattar Aged About 21 Years R/o Village Bargidih, Polie Station Lundra, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Lundra, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant	: Mr. V.K. Pandey, Advocate.
For Non-applicant	: Mr. S. K. Mishra, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.12.2018

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. 76/2018 registered at Police Station – Lundra, District- Surguja, (C.G.) for the offence punishable under Sections 363, 366, 376(2)(n), 366(A), 368, 114, 120-B read with 34 of the IPC and Sections 5th(Chh), 17 of the Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that on 16.05.2018 prosecutrix was about 17 years old. She is resident of village Bargidih District Surguja. She and applicant were liking each other. Applicant took her by pressurizing. He committed sexual intercourse promising that he will marry with her.
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