

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 90 of 2019**

Ravindra Ram S/o Rampal Aged About 21 Years R/o Village Reekhi, Harijanpara, P. S. Udaipur, District Surguja Chhattisgarh, District : Surguja (Ambikapur), Chhattisgarh.

---- Applicant

Versus

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

---- Respondent

For the Applicant	:	Shri Gary Mukhopadhyay, Advocate appearing on behalf of Shri Jitendra Shrivastava, Advocate
For the State	:	Ms. Sangeeta Mishra, Govt. Adv.
For the Objector/informant Sevaram	:	Shri Vivek Shrivastava, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**08/03/2019**

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.71/2018 registered at Police Station Udaipur, District Surguja (C.G.) for the offence punishable under Sections 363, 366, 376 (2)(f) of IPC and 5(f)/6 of POCSO Act.
3. Case of the prosecution, in brief is that on 11/07/2018 prosecutrix was below 16 years of age. She is resident of village Sarganwa. On 11/07/2018 applicant took her by enticing and committed sexual intercourse with her on pretext of the marriage. As per the certified copy of the statement of prosecutrix recorded by trial Court on 13/02/2019 she turned hostile and stated that applicant had not eloped her and he had not committed any wrong work with her.
4. Learned counsel for the applicant submits that he is 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. Counsel for the informant had filed no objection in writing to grant the bail the applicant.
7. 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde