

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 237 of 2019**

Dharam Rajwade S/o Sonsai Rajwade Aged About 32 Years Caste-
Rajwar, Occupation- Agriculture, R/o Village- Jarhi, Police Station-
Bhatgaon, District- Surajpur, Chhattisgarh., District : Surajpur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Bhatgaon, District- Surajpur, Chhattisgarh., District : Surajpur,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Nishikant Sinha, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer
For the Objector	:	Ms. Sunita Sahu, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/02/2019**

1. Heard on I.A. No. 1/2019.
2. Looking to the facts and circumstances of the case, counsel for the prosecutrix is permitted to assist the State counsel.
3. I.A. No. 1/2019 is disposed of accordingly.
4. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
5. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.170/2018 registered at Police Station Bhatgaon, District Surajpur (C.G.) for the offence punishable under Section 376 of IPC.
6. Case of the prosecution, in brief is that the prosecutrix is about 20 years old. She is resident of village Bhatgaon. One year prior onwards applicant had committed repeatedly sexual intercourse with prosecutrix on pretext of the marriage. She became pregnant. Applicant refused to marry with her. He had also refused to accept her and newly born baby.
7. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
8. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
9. 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.

10. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde