

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 66 of 2019

- Toman Verma S/o Ramesh Verma Aged About 29 Years R/o Village Khartora Police Station And Tahsil Pallari District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

----Applicant**Versus**

- State Of Chhattisgarh Throgh S.H.O. Police Station Pallari District Baloda Bazar Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara, Chhattisgarh

---- Non-applicant

For Applicant	: Shri Hemant Gupta, Advocate.
For Non-applicant	: Shri Waseem Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

30.01.2019

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.622/18 registered at Police Station Pallari, District- Baloda-Bazar-Bhatapara, (C.G.) for the offence punishable under Sections 456, 506, 376 of the Indian Penal Code.
3. Case of the prosecution, In brief is that prosecutrix is near about 29 years old. She is resident of village Khartora. On 21/10/2018 about 9/10 pm prosecutrix was sleeping in the house. Her husband had gone towards pond. Applicant entered in house committed forcible sexual intercourse with her after giving threats to kill her children. Her husband returned back and saw her and applicant in compromising condition.
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

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