

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 141 of 2019**

Bhanu Diwan, son of Ramau Diwan, aged about 25 years, R/o Parsada, P.S. Arang, District Raipur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Palari, Balodabazar, District Balodabazar Bhatapara (CG). **---- Non-applicant**

For Applicant	: Ms. Supriya Upasane, Advocate.
For Non-applicant	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.01.2019

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 counsel for the State in connection with crime No.306/2016 registered at Police Station Palari, Balodabazar for the offence punishable under Sections 363 & 366 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 30.07.2016, the age of the prosecutrix was more than 16 years. She is a resident of village Rohaasi. There was love affair between her and the applicant. On 30.07.2016 he took her by enticing on the pretext of marriage.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the prayer for grant of bail to the applicant however he submits that no criminal antecedent is reported against the applicant in police case diary.
6. As per photocopy of affidavit of prosecutrix, which is a part of bail application, she stated that the applicant had not eloped her by giving lure.
7. 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE