

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 507 of 2019**

- Dhannu Farikar S/o Rudra Farikar Aged About 22 Years R/o Bramhanpara, Raipur, Tahsil And District Raipur CG ---- **Applicant**
- Versus**
- State Of Chhattisgarh Through Station House Officer, P.S. Amanaka, District Raipur, CG ---- **Respondent**

For applicant Mr. Girdhari Lal Verma, Adv.
 For non-applicant/State Mr. Ishant Verma, PL.
 Informant Sona Saket is herself present.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****18-3-2019**

1. After putting some questions to the informant present before this Court, this Court is satisfied that she herself is the informant Sona Saket.
2. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
3. The applicant has been arrested in connection with Crime No. 333/2018 registered in police station Amanaka, Distt. Raipur (CG) for offence punishable under Section 363, 366, 376 of IPC and Section 3 and 4 of the POCSO Act.
4. Prosecution story in brief is that on 12-11-2018 the prosecutrix was below 15 years of age. She is a resident of Tatibandh, Raipur. There was intimacy between her and the applicant. On 12-11-2018 he took her by enticing on pretext of marriage. Thereafter they performed marriage in temple. He committed repeatedly sexual intercourse with her.
5. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
6. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
7. The informant stated that she has no objection if the applicant is released on bail.
8. As per true copy of the statement of the prosecutrix recorded under Section 164 of the Cr.P.C., the prosecutrix has stated that she had left her paternal house voluntarily and joined the company of the applicant.
9. Looking to the above facts and circumstances of the case, as the trial will take its own time, 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.
10. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge