

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 210 of 2019**

Shubham Yadav, S/o Ravi Yadav, aged about 21 years, R/o near Shriram Hospital, Danganiya Mod, Raipur, Post Office Raipur, Police Station Azad Chowk, Raipur, Tahsil & District Raipur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Amleshwar, District Durg (CG). **---- Non-applicant**

For Applicant	: Mr. Shivendu Pandya, Advocate.
For Non-applicant	: Ms. M. Asha, 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 counsel for the State in connection with crime No.137/2018 registered at Police Station Amleshwar, District Durg for the offence punishable under Sections 363, 366, 376 of IPC and Section 4 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that on 06.11.2018, the prosecutrix was above 17 years of age. She is resident of village Amlidih. There was love affair between the applicant and her. They want to marry with each other. On 06.11.2018 he took her on the pretext of marriage and committed sexual intercourse with her. On 12.11.2018 they performed the marriage in Arya Samaj, Raipur.
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. 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.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

JUDGE

L/-