

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 532 of 2019**

Mohit Dhritlahare S/o Pramdas Dhritlahare Aged About 21 Years R/o
Jarvai ,bhlai 03, Police Station Bhilai 03, District Durg Chhattisgarh
---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer ,durg
Chowki Padnabhpur ,district Durg Chhattisgarh., District : Durg,
Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Jitendra Gupta, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**07/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.11/2018 registered at Police Station Durg Chowki Padmnabhpur, District Durg (C.G.) for the offence punishable under Section 363, 366, 376 of IPC and Section 4 & 6 of POCSO Act.
3. Case of the prosecution, in brief is that on 07/01/2018 prosecutrix was more than 17 years of age. They were liked to each other. On 07/01/2018 applicant took her by enticing on pretext of the marriage. They performed the marriage at Supela Arya Samaj Temple. He had committed sexual intercourse with her. She has gave birth a girl. As per the true copy of the statement of the prosecutrix recorded under Section 164 of CrPC she had left her parental house without saying to anyone.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge