

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 521 of 2019**

Dharamraj Kumar Yadav S/o Late Ramnaresh @ Naga Yadav Aged About 30 Years R/o Village- Mangraon, Police Station- Kacchuwa, District- Rohtaj, Presently R/o At Vimla Siding Silyari, Police Station- Dhaesiwa, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Dharsiwa, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B.L. Sahu, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****07/02/2019**

1. This is the second bail application under Section 439 of the CrPC. First bail application was rejected on 03/07/2018 in MCRC No. 4280 of 2018 by co-ordinate Bench.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.04/2018 registered at Police Station Dharsiwa, District Raipur (C.G.) for the offence punishable under Section 363, 366, 376 of IPC and Section 3, 4 of POCSO Act.
3. Case of the prosecution, in brief is that 03/01/2018 prosecutrix was more than 16 years of age. She is resident of village Kapsada. On 03/01/2018 applicant took her by enticing and committed forcible sexual intercourse with her on pretext of marriage.
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