

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 476 of 2019**

- Ravindra Minj S/o Jagnu Ram Minj Aged About 32 Years R/o Village Ghughrikala Kasai, Bahere, P. S. Kusmi, District Balrampur- Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer Police Station Kusmi, District Balrampur- Ramanujanj, Chhattisgarh. Note- In The Contents Of The Bail Rejection Order The P. S. Has Been Mentioned As Trikunda Whereas As Per The Challan And As Per The Cause Title Of The Bail Rejection Order The P. S. Is Kusmi., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Jitendra Shrivastava, Advocate.
For Non-applicant	: Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

29.04.2019

1. The alleged informant Navalsai Toppo is present before this Court.
2. After putting some questions, this Court is satisfied that the person who is present before this Court is the informant.
3. 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.
4. Perused the case diary provided by the learned counsel for the State in connection with crime No. 65/2018 registered at Police Station – Kusmi, District – Balrampur -Ramanujanj (C.G.) for the offence punishable under Sections 363, 341, 342, 376 of the Indian Penal Code and Sections 5 (3)/6 of the Protection of Children from Sexual Offences Act, 2012.
5. Case of the prosecution, in brief is that on 14.08.2018 prosecutrix was below 12 years of age. She is resident of village Ghughrikala. On 14.08.2018 prosecutrix was going towards her house. Near the forest applicant and coaccused Jagdish met her. Applicant gone away by motorcycle. Coaccused Jagdish took her by pulling towards upper side of forest and committed forcible sexual intercourse with her.
6. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
8. The informant Navalsai Toppo submitted that he has no objection on releasing the applicant on bail.
9. Looking to these facts and circumstances of the case, looking to the materials available on record, 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 two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will 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.
10. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE