

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 486 of 2019**

- Raviullah Ansari S/o Shri Shamim Ansari Aged About 19 Years R/o Village Vijaynagar, Police Station Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh, District : Balrampur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Incharge Police Station Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh, District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicant	: Ms. Sonia Kuldeep, Advocate.
For Non-applicant	: Mr. Washim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

01.04.2019

1. The father of the prosecutrix informant is present in person.
2. After putting some questions, I am satisfied that the man 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. 54/2018 registered at Police Station – Ramanujganj, District Balrampur Ramanujganj (C.G.) for the offence punishable under Section 363, 366, 376 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012 and 3(2-5) of the SC, ST (Atrocities) Act.
5. Case of the prosecution, in brief is that on 12.05.2018 prosecutrix was below 15 years of age. On 12.05.2018 applicant took her and committed repeated 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. Informant submitted that he does not know the applicant, thus he is unable to say anything about granting of bail to the applicant.
9. As per the certified copy of the statement of the prosecutrix, her father informant, her mother dated 05.12.2018 recorded by the trial Court, they turned hostile in the trial Court and stated nothing against the applicant.
10. Looking to these 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 Trial Court with the condition that 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.
11. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE