

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 495 of 2019**

Ukesh Kumar Paikara S/o Shri Samruram Paikara Aged About 28 Years
R/o Village Kauhakuda ,police Out Post Sonakhan Thana ,kasdol ,civil
And Revenue District Balodabazar Bhatapara Chhattisgarh.At Present
I.T.B.P. Constabale Utrakhand, Uttaranchal.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer ,police Out
Post Sonakhan ,thana Kasdol Civil And Revenue District Balodabazar
Bhatapara Chhattisgarh., District : Balodabazar-Bhathapara,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sunil 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 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.144/2018 registered at Police Outpost – Sonakhan, Police Station Kasdol, District Balodabazar-Bhatapara (C.G.) for the offence punishable under Section 376 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is about 21 years of age. She is resident of village Nawagaon. Five years ago onwards applicant committed repeatedly sexual intercourse with her on pretext of the 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