

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 520 of 2019**

Pawan Kashyap, son of Shri Kadi Kashyap, aged about 19 years, R/o Village Biranpal, P.S. Darbha, District Bastar (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Darbha, District Bastar (CG).

---- Non-applicant

For Applicant	: Mr. Vikash A. Shrivastava, Advocate.
For Non-applicant	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

07.02.2019

1. 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.
2. Perused the case diary provided by the counsel for the State in connection with crime No.31/2018 registered at Police Station Darbha, District Bastar for the offence punishable under Sections 354, 509, 506 of IPC and Section 8 of Langik Apradhon Se Balkon Ka Sanrakshan Adhiniyam, 2012.
3. Case of the prosecution, in brief is that on 09.07.2018 the prosecutrix was aged about 14 years old. She is a resident of village Biranpal, District Bastar. On 09.07.2018, the applicant demanded to do sex with her and used criminal force upon her to outrage her modesty. He has also threatened to her family members.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application, however, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with one personal bond of Rs.50,000/- to the satisfaction of the trial Court concerned, he be released on bail and he shall not commit any such type of offence in future.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)

JUDGE

L/-