

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 638 of 2019**

Mo. Rasik S/o Raju @ Raza Mohammad Aged About 22 Years R/o-
Boriyapur, Raipur, Police Station- Tikrapara Raipur, District- Raipur,
Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through- Officer In Charge Police Station-
Urga, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Badruddin Khan, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/02/2019**

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.183/2018 registered at Police Station Urga, District Korba (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC & Section 4, 06 of POCSO Act.
3. Case of the prosecution, in brief is that on 06/07/2018 prosecutrix was more than 17 years of age. She had love affairs with applicant. He had committed repeatedly sexual intercourse with her on pretext of marriage. As per the statement of the prosecutrix recorded under Section 164 of CrPC she had left her maternal house voluntarily. She had stated nothing against the applicant.
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