

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 544 of 2019**

Kiran Kumar Usendi S/o Sadharam Gond Aged About 28 Years R/o Ratesara, Police Station Charama, District Kanker Chhattisgarh, District : Kanker, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Balod, Civil And Revenue, District Kanker Chhattisgarh, District : Kanker, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vinod Tekam, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**08/02/2019**

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.319/2018 registered at Police Station Balod, District Balod (C.G.) for the offence punishable under Section 344, 366, 376, 371, 506/34 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is about 23 years old. She is resident of village Gujra. On 06/07/2018 on account of threatening of applicant prosecutrix went to village Makdi. Thereafter applicant took her in his house. He had committed 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