

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 616 of 2019**

Govind Sahu, son of Kejaram Sahu, aged about 18 years and 06 months,
resident of village Champaran, Police Station Nawapara, District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Masturi, Civil
and Revenue District Bilaspur (CG).

---- Non-applicant

For Applicant	: Ms. Sunita Sahu, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

25.02.2019

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.596/2018 registered at Police Station Masturi, Civil and Revenue District Bilaspur for the offence punishable under Section 376 of Indian Penal Code and Section 67(A) of I.T. Act.
3. Case of the prosecution, in brief is that on 14.10.2018 the prosecutrix was aged about 26 years old. She is a resident of village Khapri. She and applicant were talking with each other by mobile. On 14.10.2018 at about 9:30 pm., the applicant reached in her house and compelled her to open the door otherwise he will expose the recorded conversation to her family member then she opened the door and he committed sexual intercourse with her and recorded the intimated scene on his mobile and, thereafter, he was blackmailing her for committed sexual intercourse on account of given threatening to expose her obscene video. She is a member of Scheduled Tribe.
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 one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-