

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 683 of 2019**

- Sunil Das S/o Narayan Das Aged About 20 Years Caste Manikpuri, R/o Ward No. 14, College Road, Akaltara, Police Station And Tashil Akaltara, District Janjgir Champa Chhattisgarh ---- **Applicant**
- Versus**
- State Of Chhattisgarh Through The Station House Officer, Police Station Akaltara, District Janjgir Champa Chhattisgarh ---- **Respondent**

For applicant	Mr. Yogeshwar Sharma, Adv.
For non-applicant/State	Mr. Vinod Tekam, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14-2-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 57/2018 registered in police station Akaltara, Distt. Janjgir Champa (CG) for offence punishable under Section 363, 366-A, 376 of the IPC and S. 4 of the POCSO Act.
3. Prosecution story in brief is that on 15-2-2018 prosecutrix was more than 16 years of age. There was love affair between her and the applicant. On 15-2-2018 in the night she left her maternal house and accompanied the applicant. They went to Katra and performed marriage. He committed repeated sexual intercourse with her.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the above facts and circumstances of the case, 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. CC as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge