

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 812 of 2019**

Pramod Yadav @ Sonu S/o Chhotu Ram Aged About 19 Years R/o
Khalpara, Ramanujnagar, Surajpur, District Surajpur Chhattisgarh,
District : Surajpur, Chhattisgarh .

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Ramanujnagar,
District Surajpur Chhattisgarh, District : Surajpur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Pushkar Sinha, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**19/02/2019**

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.79/2018 registered at Police Station Ramanujnagar, District Surajpur (C.G.) for the offence punishable under Sections 363, 366, 376(2) read with 34 of IPC and Section 4,6 of POCSO Act.
3. Case of the prosecution, in brief is that on 22/05/2018 prosecutrix was more than 16 years of age. She is resident of village Ramanujnagar. She had love affair with the applicant. Applicant had committed sexual intercourse with her on pretext of the marriage. On saying of applicant she eloped with co-accused Mangal.
4. In the case in hand two other co-accused Vikas Yadav @ Uday Prakash, Mangal Singh have been released by this Court on 07/12/2018 in MCRC No. 9152 of 2018.
5. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.

7. 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde