

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1139 of 2019**

Rajendra Markam S/o Prabhu Ram Markam Aged About 22 Years R/o
Village Brahebeda, Police Station Pakhanjur, District North Baster
Kanker Chhattisgarh, District : Kanker, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Pakhanjur, District North Baster Kanker Chhattisgarh, District :
Kanker, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sandeep Yadav, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**27/02/2019**

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.168/2018 registered at Police Station Pakhanjur, District North Bastar Kanker (C.G.) for the offence punishable under Sections 323, 506, 354 of IPC and Section 04 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is about more than 17 years of old. She is resident of village Brehbeda. On 02.12.2018 at about 6 p.m. at Village Brehbeda applicant molested her pressed her on the wall. He had also beaten complainant Fuleshwari Sahu by wooden club.
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 two solvent sureties for a sum of Rs. 25,000/- each along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge