

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 934 of 2019**

Sangeet Sonwani S/o Hari Prasad Sonwani Aged About 21 Years R/o
Village Birkona, P.S. Koni, District Bilaspur Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Civil Lines, District Bilaspur Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Ashutosh Mishra, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**20/02/2019**

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.920/2018 registered at Police Station Civil Lines, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 363, 366 & 376 of IPC and Section 6 of POCSO Act.
3. Case of the prosecution, in brief is that on 02/10/2018 prosecutrix was more than 16 years of age. There was love affair between her and applicant. She had left her parental house and joined the company of applicant. Thereafter her parents took her in their house. On 02/10/2018 her parents ousted her. She joined the company of applicant and went his house. They performed the marriage. They are living as husband and wife. Applicant had committed repeatedly sexual intercourse with her.
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