

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1188 of 2019**

Chandrashekhar Dewangan S/o Kuleshwar Dewangan Aged About 23 Years Occupation Labour, R/o Near Tilak School, Chakradharnagar, Tahsil And District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Station House Officer, In Charge, Chakradharnagar, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Manoj Jaiswal, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**06/03/2019**

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.8/2019 registered at Police Station Chakradhar Nagar, District Raigarh (C.G.) for the offence punishable under Section 376 of IPC.
3. Case of the prosecution, in brief is that on 01/01/2017 prosecutrix was more than 18 years of age. She is resident of Sanjay Nagar, Raigarh. Since back two years onwards applicant had committed repeatedly sexual intercourse with her on pretext of marriage thereafter he refused to marry 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