

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1100 of 2019**

Indresh Shrivastava S/o Late Jawahar Lal Shrivastava Aged About 20 Years R/o
Baliram Kashyap Ward Jagdalpur, Bastar Nayamunda, near, B.S.N.L
Officer Jagdalpur, Police Station Bodhgat District Bastar
Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Takhatpur, District Bilaspur Chhattisgarh., District : Bilaspur,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Rajeev Kumar Dubey, Advocate
For the State	:	Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****26/02/2019**

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.461/2018 registered at Police Station Takhatpur, District Bilaspur (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Section 6 of POCSO Act.
3. Case of the prosecution, in brief is that on 27/11/2018 prosecutrix was more than 16 years of age. She is resident of Avantika Colony Jagdalpur. She and applicant were in contact with each other by telephone/mobile. On 27/11/2018 applicant took her by enticing and 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