

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1532 of 2019**

Shriram Karma @ Guddu S/o Budhu Verma Aged About 27 Years R/o
Village - Chidpal Deng Amapara, Police Station - Darbha, District
Bastar Chhattisgarh., District : Bastar(Jagdalpur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Thana Kotwali, Jagdalpur District Bastar Chhattisgarh., District :
Bastar(Jagdalpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri S.S. Masih, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**08/04/2019**

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.370/2016 registered at Police Station Kotwali, Jagdalpur District Bastar (C.G.) for the offence punishable under Sections 341, 342, 363, 366, 376, 323 of IPC and Section 4, 6 of POCSO Act, 2012.
3. Case of the prosecution, in brief is that on 30/10/2016 prosecutrix was more than 16 years of age. She is resident of Jagdalpur. She is member of Scheduled Caste. On 30/10/2016 co-accused Pintu Sharma wrongfully restrained her. Co-accused Pintu Sharma forcefully sat her on motorcycle. Motorcycle was driven by applicant. She was wrongfully confined in the house of applicant. Co-accused Pintu Sharma committed repeatedly sexual intercourse with her on pretext of the marriage. He beat her and left the prosecutrix.
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 aforesaid 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

Kamde