

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1297 of 2019**

- Ravi Kumar Sonkar S/o Ramji Sonkar Aged About 22 Years R/o Ward Number 40, Indira Nagar P.S. Basantpur, District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Basantpur, Rajnandgaon, District- Rajnandgaon, Chhattisgarh

----Non Applicant

For the Applicant : Shri Vikash Shrivastava, Advocate on behalf of
Shri Priyank Rathi, Advocate

For Non Applicant : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**11.04.2019**

1. Informant- prosecutrix is present in person.
2. On putting some queries, this Court is satisfied that the girl who is present before this Court is the informant.
3. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicants before this Court and no other bail application is pending before any other Court.
4. Perused the case diary provided by the learned counsel for the State in connection with Crime No.316/2018 registered at Police Station- Basantpur, District- Rajnandgaon (C.G.) for the offence punishable under Section 376(3) of Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act.
5. Case of the prosecution, in brief is that on 15.03.2018 prosecutrix was below 14 years of age. She is resident of Dukala Chowk, Rajnandgaon. There was the love affair her and applicant. On 15.03.2018 onwards he committed sexual intercourse with her on pretext of the marriage. She became pregnant.
6. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
8. Counsel for the informant submitted that applicant may be released on bail.
9. As per the certified copy of the statement of the prosecutrix recorded on 04.02.2019 recorded by trial Court she turned hostile and not stated anything against the applicant. She had stated that she had gone to her uncle Rameshwar Sahu at Dongargarh.
10. Looking to the above mentioned 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 applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned trial Court, he shall be released on bail.
11. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul