

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1397 of 2019**

Maneshwar Ram, S/o Shri Sukhram Naik, aged about 22 years, Caste Ghashi,
R/o village Bhattitoli, Police Station Jashpur, District Jashpur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House officer, Police Station Jashpur
Nagar, District Jashpur (CG).

---- Non-applicant

For Applicant	: Mr. Sanjeev Kumar Sahu, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

13.03.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the counsel for the State in connection with crime No.213/2018 registered at Police Station Jashpur Nagar, District Jashpur for the offence punishable under Sections 363, 366, 376, 307 of IPC and Sections 5(L) & 6 of POCSO Act.
3. Case of the prosecution, in brief is that on 25.05.2018, the prosecutrix was more than 16 years of age. She is a resident of village Portenga. She and applicant had liked with each other. On 25.05.2018, he took her by enticing on the pretext of marriage and committed repeatedly sexual intercourse with her. While she was residing with the applicant, he had beaten her by handle of motorcycle and one day he caused injury on her neck by knife.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he submits that no criminal antecedent of the applicant is reported in police case diary.
6. As per MLC report of the prosecutrix, one lacerated wound and one incised wound were found on the body of the prosecutrix. Injuries were simple in nature.
7. Looking to the above facts and circumstances of the case, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with one personal bond of the like sum to the satisfaction of the trial Court concerned, he be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-