

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1390 of 2019

- Ramsingh Anant S/o Gyandas Anant Aged About 22 Years R/o Pandit Dindayal Upadhyay, Shantinagar, Bhatapara, Police Station Bhatapara District (Revenue And Civil) Balodabazar Bhatapara Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Tarbahar, District (Revenue And Civil) Bilaspur Chhattisgarh

---- Non Applicant

For the Applicant : Shri Sumit Jhavar, Advocate

For Non Applicant : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board13.03.2019

1. 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.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.361/2018 registered at Police Station- Tarbahar, District(Revenue and Civil)- Bilaspur (C.G.) for the offence punishable under Sections 363, 366, 376 of Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that on 02.11.2018 prosecutrix was more than 16 years of age. She is resident of Railway Colony Bhatapara. There was the love affair between her and applicant. On 02.11.2018 he took her and committed repeatedly sexual intercourse with her. She had left her paternal house with intimating to anyone.
4. 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.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no antecedent 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 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 with the condition that he will 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

Parul