

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1464 of 2019**

- Sudhar Ram Chauhan S/o Sanat Ram Chauhan Aged About 19 Years R/o Bhagora, Police Station Farsabahr, District - Jashpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station - Bagbahar, District - Jashpur Chhattisgarh

.....Non Applicant

For the Applicant : Shri Manoj Chauhan, Advocate

For Non Applicant : Shri Apurv Goyal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14.03.2019**

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.12/2019 registered at Police Station- Outpost Kotba, District-Jashpur (C.G.) for the offence punishable under Sections 363, 366, 376 of Indian Penal Code and Section 4,6 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that on 31.01.2019 prosecutrix was more than 17 years of age. She is resident of village Bhagwanpur. There was the intimacy with her and applicant. On 31.01.2019 applicant called her at village Kadelkachhar and she left her paternal house without intimating to anyone. Applicant took her some other place and committed sexual intercourse with her on pretext of the marriage.
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