

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 1566 of 2019**

Gulzar Chand, S/o Moh. Sirajul, aged about 26 years, R/o Village Pendri, Baypass Chowk, Raipur Road, Bilaspur, permanent address Village Ganiyari, Post Ganiyari, Tahsil Takhatput, District Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Tarbahar, Bilaspur, District Bilaspur (CG).

---- Non-applicant

For Applicant	: Mr. Akhtar Hussain, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.03.2019

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.24/2019 registered at Police Station Tarbahar, District Bilaspur for the offence punishable under Section 376 of IPC and Section 67 of I.T. Act.
3. Case of the prosecution, in brief is that on 16.01.2019, the prosecutrix was more than 16 years of age. She is a resident of Sarkanda. She and applicant were talking with each other by mobile. On 16.01.2019 he called her at Natraaj Hotel, where he committed forcibly sexual intercourse with her and took obscene photographs of her and, thereafter, he started to blackmail her and demanded money from her by giving threat. Later on, he viral her obscene photographs to her mother.
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. 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-