

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1947 of 2019**

- Purshottam Netam S/o Damaru Dhar Netam Aged About 23 Years R/o School Para Beejapur, Police Station- Makari, District- Kondagaon, CG

---- **Petitioner****Versus**

- State Of Chhattisgarh Through The Police Station- Kondagaon, District- Kondagaon, CG

---- **Respondent**

For applicant	Mr. P.K. Tulsiyan, Adv.
For non-applicant/State	Mr. Wasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

2-4-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 250/2018 registered in police station Kondagaon, Distt. Kondagaon (CG) for offence punishable under Section 363, 366, 376, IPC, Section 6 of the POCSO Act, Section 3(2)(v) and 3(2)(va) of the SCST Act.
3. Prosecution story in brief is that on 26-9-2018, the prosecutrix was more than 17 years of age, she is a member of scheduled tribe and is a resident of village Hukka Beda. On 26-9-2018 the applicant took her by enticing and committed repeated sexual intercourse with her on the pretext of marriage.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the above facts and circumstances of the case, 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. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge