

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1936 of 2019

- Vikram Singh Chauhan S/o Vishnu Chauhan Aged About 19 Years R/o Village Dongariyakala (Wrongly Mentioned As Dongariya In Order Sheet), Police Station- Pandatarai, Distict- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station- Kunda, Distict- Kabirdham, Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

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| For Applicant     | : Mr. Dharmesh Shrivastava, Advocate. |
| For Non-applicant | : Mr. Ashutosh Pandey, Panel Lawyer   |

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

**30.04.2019**

1. The alleged informant Rajendra Singh Chouhan is present in person.
2. After putting some questions, this Court is satisfied that the man who is present before this Court is the informant.
3. 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.
4. Perused the case diary provided by the learned counsel for the State in connection with crime No. 37/2019 registered at Police Station – Kunda, District – Kabirdham (C.G.) for the offence punishable under Sections 363, 366, 376 of the Indian Penal Code and Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012.
5. Case of the prosecution, in brief is that on 07.03.2019 Prosecutrix was below 15 years of age. She is resident of village Kunda. There was love affair between her and applicant. On 7.3.2019, he took her by enticing on pretext of marriage. He committed repeatedly sexual intercourse with her.
6. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
7. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
8. The informant Rajendra Singh Chouhan submitted that he has no objection in releasing the applicant on bail.
9. As per the statement of the prosecutrix recorded under Section 164 Cr.P.C. she and applicant eloped. He had not committed any wrong act with her.
10. As per the affidavit of Rajendra Singh Chouhan, who is the informant and father of the prosecutrix, the prosecutrix had hold him that she went to Raipur for roaming alone.
11. Looking to the above mentioned 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 the applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond in the like sum 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.
12. Certified copy as per rules.

Sd/-  
 (Sharad Kumar Gupta)  
**JUDGE**