

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2046 of 2019

- Mileshe Kumar Lediya S/o Heeralal Lediya Aged About 30 Years R/o Village Parna, Police Station Dongargaon, District - Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Nandini Nagar, Chhawani, District - Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. AC Sahu, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer
For objector	: Mr. V.K. Sahu, Advocate

Hon'ble Shri Justice Sharad Kumar GuptaOrder On Board11.04.2019

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 learned counsel for the State in connection with crime No. 702/2018 registered at Police Station – Chhawani, District - Durg (C.G.) for the offence punishable under Sections 506, 456, 323, 376 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the prosecutrix is about 28 years old and resident of Sundarnagar, Bhilai. On 15.09.2018 applicant who was her erstwhile lover entered in her house, committed sexual intercourse with her, pressed her mouth, gave threats to kill her husband, beat him by hands and fists, snatched her mobile.
4. 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.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Learned counsel for the objector submitted that prosecutrix has no objection in releasing of the applicant on bail.
7. 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.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE