

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2185 of 2019**

Abhishek Baghel, S/o Shri Sonu Baghel, aged about 20 years, R/o village Chota Kawaali, Kotwaar Para, P.S. Parpa, District Bastar (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Parpa, Bastar, District Bastar (CG).

---- Non-applicant

For Applicant	: Mr. Ishan Verma, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

24.06.2019

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.191/2018 registered at Police Station Parpa, Bastar for the offence punishable under Sections 363, 366 & 376 of IPC and Section 6 of POCSO Act.
3. Case of the prosecution, in brief is that on 29.09.2018 the prosecutrix was more than 16 years of age. She is a resident of village Shirmud. She is a member of Scheduled Caste. On 29.09.2018 the applicant took her by enticing on the pretext of marriage and committed repeatedly sexual intercourse with her.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is an innocent and has been falsely implicated in the present case and as such the applicant 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 is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the bail 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/-