

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2189 of 2019**

Sanjay Bareth, aged about 24 years, son of Chandrabhan Bareth, Caste Dhobi,
R/o Village Balpur, Police Station Sarsinwa, District Balodabazar Bhatapara (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Sarsinwa,
District Balodabazar Bhatapara (CG).

---- Non-applicant

For Applicant	: Mr. Sangeet Kumar Kushwaha, Advocate.
For Non-applicant	: Mr. S.R.J. Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

10.04.2019

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 counsel for the State in connection with crime No.352/2018 registered at Police Station Sarsinwa, District Balodabazar Bhatapara for the offence punishable under Sections 376(2)(b) of IPC and Section 3(2)(v)(a) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief is that on 18.01.2018 the prosecutrix was aged about 23 years old. She is resident of village Balpur. On 18.01.2018 onwards the applicant committed sexual intercourse with her on pretext of marriage and, thereafter, he absconded from his house.
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 is reported against the applicant 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/-