

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2539 of 2019**

Sudarshan S/o Shyamlal Saral Aged About 23 Years R/o Village -
Churaghatha Police Station And Tahsil Dabhra, District Janjgir
Champa Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Dabhra, Civil And Revenue District Janjgir Champa
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Kamal Kishor Patel, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**26/04/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.83/2019 registered at Police Station Dabhra, District Janjgir-Champa (C.G.) for the offence punishable under Sections 323, 376, 34 of IPC and Section 6 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is aged about 17 years. She is resident of village Churaghatha. There was the intimacy between her and applicant. From April 2018 onwards, he committed repeatedly sexual intercourse with her on pretext of marriage. Thereafter he refused to marry her. His sisters Uttara Saral and Manju Saral beat her by hands and fists.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. 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 Court with the condition that he shall 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge