

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 2190 of 2019**

Jitendra Singh Sandilya, son of Maarwadi Singh, aged about 24 years, Caste Gond, R/o Village Songara, Police Station Bhatgaon, District Surajpur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Bhatgaon, District Surajpur (CG).

---- Non-applicant

For Applicant	: Mr. V.K. Pandey, 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.20/2019 registered at Police Station Bhatgaon, District Surajpur for the offence punishable under Section 376 of Indian Penal Code.
3. Case of the prosecution, in brief is that the prosecutrix was aged about 22 years old. She is resident of village Peepalpara Songara. Prior to 2/3 years and onwards, the applicant committed repeatedly sexual intercourse with her on pretext of marriage and, thereafter, he refused to marry with her.
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/-