

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 2441 of 2019

- Tarun Kumar Mahra S/o Chhagan Lal Aged About 18 Years Occupation - Labour, R/o Naya Para, Ward No. 1, Kejau Rice Mill Chowk Durg Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Kawardha/ Station House Officer, Police Station - Pipariya, District Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Dharmesh Srivastava, Advocate.
For Non-applicant	: Mr. SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.04.2019

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. 70/2019 registered at Police Station – Pipariya District - Kabirdham (C.G.) for the offence punishable under Sections 363, 366 of the Indian Penal Code.
3. Case of the prosecution, in brief is that on 15.03.2019 prosecutrix was more than 17 years of age. She is resident of village Indoiri. On 15.03.2019 applicant took her by enticing on pretext of marriage. As per the affidavit of Krishna Dahriya, father of the prosecutrix, she had gone to Rajnandgaon for treatment of stomach pain. Applicant has not committed any wrong with her.
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. Looking to these 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE