

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2749 of 2019**

Rajesh Kumar S/o Santosh Kumar, Aged About 19 Years R/o Baldhar (Dogritola) Police Station Gaurela, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Gaurela, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ritesh Verma, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**17/06/2019**

1. Informant Ganesh Kol absent, though notice has been served upon him.
2. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
3. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.36/2019 registered at Police Station Gaurela, District Bilaspur (C.G.) for the offence punishable under Sections 363, 506, 376, 511 of IPC and Section 12 of POCSO Act.
4. Case of the prosecution, in brief is that on 31/01/2019 prosecutrix was below 16 years of age. She is resident of village Baldhar Korja. On 31/01/2019 applicant took her and kept in his house. He had tried to commit rape with her. He had given threatening to kill her.
5. Counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he may be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. In the true copy of the statement of the prosecutrix recorded under Section 164 of CrPC it has not been mentioned that applicant allegedly attempted to commit rape with her.
8. Looking to the above mentioned facts and circumstances of the case, looking to the material available on record it is ordered 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.
9. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
 Judge