

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2943 of 2019**

- Yuvraj Kumar Sahu S/o Shri Khiluram Sahu Aged About 30 Years R/o Village Gobindpur Near Shitla Mandir, Kanker, District- Kanker, CG

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Pulgaon, District- Durg, CG

---- Respondent

For applicant	Mr. Pragalbha Sharma, Adv.
For non-applicant/State	Mr. Ishan Verma, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14-5-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 28/2019 registered in police station Pulgaon, Distt. Durg (CG) for offence punishable under Section 363, 366, 376 of IPC and Section 4 and 6 of POCSO Act.
3. Prosecution story in brief is that in the month of May, 2013, the prosecutrix was more than 16 years of age. She is a resident of Railway Colony, Bilaspur. In the month of May, 2013 applicant committed rape with her. He trapped her in love affair. Thereafter he committed repeatedly rape with her. He performed engagement with some other girl and refused to marry her.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submitted that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the above facts and circumstances of the case, 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. CC as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge