

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2898 of 2019**

Dashrath Baghel S/o Roopdhar Baghel Aged About 25 Years R/o Village Ransargipal Tahsil Tokapal District Bastar Chhattisgarh.,
District : Bastar(Jagdalpur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Lohandiguda,
District Bastar Chhattisgarh.

---- Respondent

For the Applicant	:	Shri P.K. Tulsyan, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**10/05/2019**

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. Case diary not produced. Counsel for the applicant produced photocopy of the charge-sheet for perusal of this Court in connection with the Crime No.14/2013 registered at Police Station Lohandiguda, District Bastar (C.G.) for the offence punishable under Section 376 and 332 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is about 22 years old. She is resident of village Lohandiguda. There was love affair between her and applicant. Since back year 2015 onwards he committed repeatedly sexual intercourse with her on pretext of the marriage. He performed marriage with another girl and thereafter physical relationship was continued. He refused to marry her.
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. As per the photocopy of the memo of arrest of applicant no antecedent has been reported against him.
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