

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2914 of 2019**

- Kuldeep Yadav S/o Mahaveer Yadav Aged About 42 Years Occupation - Driver, Resident Of Village - Dilmila, Police Station And Tahsil - Saraipali, District Mahasamund Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Sankra, District Mahasamund Chhattisgarh

----Non Applicant

For the Applicant : Shri Vikash Pradhan, Advocate

For Non Applicant : Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****25.06.2019**

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.40/2019 registered at Police Station- Sankra, District- Mahasamund (C.G.) for the offence punishable under Sections 120(B), 363, 366-A, 294, 323, 506, 365, 376, 376(2)(n), 34 of Indian Penal Code and Section 4, 6 of Protection of Children from Sexual Offences Act, 2012.
3. Case of the prosecution, in brief is that on 03.06.2017, prosecutrix was more than 17 years of age. She is resident of village Savitripur. On 03.06.2017, applicant, Co-accused Moharsai, Sudesa Bai induced her parents that the marriage of prosecutrix would be done with co-accused Bijender Jangda. Applicant and said co-accused took prosecutrix at village Malkosh saying that they will visit the house of co-accused Bijender Jangda.
4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Counsel for the applicant further submits that one another criminal case under the Excise Act has been registered against the applicant.
7. 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 applicant furnishes two solvent sureties for a sum of Rs.25,000/- along with a personal bond of Rs.50,000/- 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 be released on bail.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

Parul