

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3088 of 2019

Chetan Kumar Yadav, S/o Mani Ram Yadav, aged about 22 years, R/o village Hathbandh Nandanvan, P.S. Amanaka, Raipur, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station Nandni, District Durg (CG).

---- Non-applicant

For Applicant	: Mr. Anmol Sharma, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.05.2019

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 counsel for the State in connection with Crime No.101/2019 registered at Police Station Nandni, District Durg for the offence punishable under Section 376 of Indian Penal Code and Section 4 of Protection of Children from Sexual Offence Act.
3. Case of the prosecution, in brief is that on 06.09.2017 the prosecutrix was more than 16 years of age. She is resident of village Boregaon. There was love affair between her and the applicant. On 06.09.2017 onwards at village Boregaon, he committed sexual intercourse with her on the pretext of marriage and, thereafter, he refused to marry with her.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is an innocent and has been falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he submits that no criminal antecedent is reported against the applicant in police case diary.
6. Looking to the above facts and circumstances of the case, the bail 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. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-