

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3023 of 2019

Tameshwar Sonwani, S/o Shivbhajan Panika, aged about 22 years, Caste Panika, R/o Village Kamalpur, Uparpara, Police Station Surajpur, Tahsil Ramanujnagar, District Surajpur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Station House Officer, Police Station Surajpur, District Surajpur (CG). **---- Non-applicant**

For Applicant	: Mr. Gyan Prakash Shukla, Advocate.
For Non-applicant	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.05.2019

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.147/2019 registered at Police Station Surajpur, District Surajpur for the offence punishable under Sections 363, 366 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 29.03.2019 the prosecutrix was more than 17 years of age. She is resident of village Kamalpur. A quarrel was happened between her and her family members. On 29.03.2019 she called the applicant towards forest and where they were roaming.
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. As per true copy of statement of prosecutrix recorded under Section 164 of CrPC she went to forest voluntarily, she and applicant had liked to each other.
7. 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE

L/-