

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3013 of 2019**

- Rajesh Sahu S/o Rohit Sahu Aged About 19 Years R/o Village Kuamalgi, Post Kolegaon, Out Post Damapur, Police Station Kunda, Tahsil Pandariya, District Kabirdham Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Kabirdham Chhattisgarh

----Non Applicant

For the Applicant	:	Shri Dharmesh Shrivastava, Advocate
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For Non Applicant	:	Shri Washim Miyan, Panel Lawyer
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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 learned counsel for the State in connection with Crime No.69/2019 registered at Police Station- Bodla, Out Post- Pondi, District- Kabirdham (C.G.) for the offence punishable under Sections 376 of Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 20 years old. She is resident of village Singhanpuri. Three years ago onwards applicant committed repeatedly sexual intercourse with her on pretext of the marriage. Thereafter, he refused to marry her.
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 shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. Looking to the 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 one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned trial Court, he shall be released on bail.
7. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)

Judge

Parul