

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3014 of 2019**

Shailendra Kumar Rathore @ Golu, S/o Kevla Prasad Rathore, Aged
About 28 Years R/o Nawapara, Police Station - Pendra, District
Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station -
Pendra District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Yogendra Chaturvedi, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**15/05/2019**

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. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.79/2019 registered at Police Station Pendra, District Bilaspur (C.G.) for the offence punishable under Section 452, 354 of IPC, Section 4, 6 of POCSO Act and Section 3(1)(10) of SC ST (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief is that prosecutrix is about 15 years of age. She is resident of village Bacharwar. She is member of Scheduled Caste. On 01/04/2019 at about 11 a.m., applicant entered in her house and used criminal force on her to outrage her modesty.
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. He further submits that no criminal antecedents against the applicant.
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 two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 50,000/- to the satisfaction of the trial Court concerned with the condition that he will not involve himself in such type of crime in future, he be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge