

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3050 of 2019**

- Dev Kumar @ Dev Prakash @ Billu Aanwde S/o Shri Hemdhar Aanwde Aged About 22 Years R/o Village - Bhoring, Police Station Tumgaon, Tehsil And District Mahasamund Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Tumgaon, District Mahasamund Chhattisgarh

---- Respondent

For applicant	Mr. Rishi Sahu, Adv.
For non-applicant/State	Mrs. M. Asha, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****16-5-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 3/2019 registered in police station Tumgaon, Distt. Mahasamund (CG) for offence punishable under Section 363, 366, 376, IPC and Section 3, 4 and 6 of POCSO Act.
3. Prosecution story in brief is that on the date of incident, prosecutrix was more than 17 years of age. She is a resident of village Joba. There was love affair between her and the applicant. The applicant had disclosed her that he is already married. On 17-12-2018, the applicant took her by enticing on the pretext of marriage and committed repeatedly sexual intercourse with her.
4. Counsel for the applicant argued that the applicant is innocent and has been falsely implicated hence he be released on bail.
5. On the other hand, the State Counsel opposed the bail application. He further submits that no criminal antecedent has been reported against applicant in the police case diary.
6. Looking to the above facts and circumstances of the case, 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. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge