

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3095 of 2019

Sanatan Durga @ Sanjay Durga, son of Alikha Durga, aged about 22 years, R/o Village Tentulipada, Post Bhawani, Patna, P.S. Karlapada, Kalahandi (Odisha). **---- Applicant**

Versus

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

For Applicant	: Mr. Uttam Pandey, Advocate.
For Non-applicant	: Mr. Wasim Miyan, 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.21/2019 registered at Police Station Bhilai Nagar, District Durg for the offence punishable under Sections 363, 366, 376 of Indian Penal Code and Section 34 of Protection of Children from Sexual Offences Act.
3. Case of the prosecution, in brief is that on 15.01.2019 the prosecutrix was more than 16 years of age. She is resident of Bhilai. On 15.01.2019, the applicant took her by enticing on the pretext of marriage and committed repeatedly sexual intercourse with her. He put vermilion on her forehead.
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 and as such he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he submits that there is 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/-