

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3395 of 2019**

Kirit Lal Sidar S/o Vijay Sidar Aged About 19 Years Caste- Sidar, R/o Village Madwa P.S. Chandrapur And Tahsil Dabhara, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through District- Magistrate, Janjgir, District- Janjgir-Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Ishwar Jaiswal, Advocate
For the State	:	Shri Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

20/06/2019

1. Allegedly authorized person of prosecutrix - her father Tikaram Patel present.
2. After putting some questions this Court satisfied that the person who is present in the Court is Tikaram Patel, authorized person of informant-father of the prosecutrix.
3. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
4. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.59/2019 registered at Police Station Chandrapur, District Janjgir-Champa (C.G.) for the offence punishable under Sections 376, 509/34 of IPC & Section 4 of POCSO Act & Section 67(B) of I.T. Act.
5. Case of the prosecution, in brief is that on 20/02/2019 prosecutrix was below 16 years of age. She is resident of village Domanpur. On 20/02/2019 co-accused Durgesh Chouhan committed rape with her. Applicant, co-accused Rajendra Mehar and Sandeep Uraon prepared video of that incident and viral it in public.
6. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he may be released on bail.
7. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
8. Authorized person of informant – father of the prosecutrix Tikaram Patel submitted that applicant may not be released on bail.
9. Looking to the above mentioned facts and circumstances of the case, looking to the material available on record against the applicant, 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 any of the crime in future, he shall be released on bail.

10. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde