

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 3668 of 2019

Rakesh Baghel, S/o Rup Singh Baghel, aged about 21 years, R/o Ravindra Nath Tagore Ward, Jagdalpur, District Bastar (CG). **---- Applicant**

Versus

State of Chhattisgarh, through Police Station Kotwali, Jagdalpur, District Bastar (CG). **---- Non-applicant**

For Applicant	: Mr. Vikash A. Shrivastava, Advocate.
For Non-applicant	: Mr. Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

18.06.2019

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.39/2019 registered at Police Station Kotwali, Jagdalpur, District Bastar for the offence punishable under Section 376 of Indian Penal Code.
3. Case of the prosecution, in brief is that on 31.12.2017 the prosecutrix was aged about 21 years old. She is a resident of village Jagdalpur. She and applicant were used to talk with each other. Since 31.12.2017 onwards he committed repeatedly sexual intercourse with her on the pretext of marriage as a result of that she became pregnant and, thereafter he refused to marry with her.
4. Counsel for the applicant submits that the applicant has not committed any offence. He is an innocent person and has been falsely implicated in the present case and as such the applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. However, he further submits that 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/-