

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4056 of 2019**

Dhaniram Yalam S/o Bandi Aged About 36 Years R/o Village Borje
Police Station Toynar District Bijapur Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through The Police Station Bijapur, District
Bijapur Chhattisgarh., District : Bijapur, Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Rahil Kochar and Shri Gyan Prakash Dandekar, Advocates
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**26/08/2019**

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.41/2019 registered at Police Station Bijapur, District Bijapur (C.G.) for the offence punishable under Section 376 of IPC.
3. Case of the prosecution, in brief is that prosecutrix is about 21 years of age. She is resident of village Tumirguda Nayapara Madded. She and applicant were liking each other. In the month of December 2018 onwards he committed repeatedly sexual intercourse with her. She became pregnant. He refused to marry her.
4. Counsel for the applicant submitted that he has innocent and falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submitted that there is no previous antecedent against the applicant.
6. Looking to the above mentioned facts and circumstances of the

case, looking to the material available on record against the applicant, 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 one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the concerned Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.

7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde