

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4436 of 2019**

- Srikant Tiwari S/o Shri Rajmani Tiwari Aged About 29 Years R/o Village Manigawa, Police Station-Manigawa, District-Riwa,(Madhya Pradesh)

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kabirnagar, Civil And Revenue District Raipur Chhattisgarh

---- Non Applicant

For the Applicant	:	Mr. Sunil Pillai, Advocate
For Non Applicant	:	Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****08.08.2019**

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 learned counsel for the State in connection with Crime No. 128/2019 registered at Police Station-Kabir Nagar, Raipur, Civil and Revenue District- Raipur (C.G.) for the offence punishable under Sections 366(a), 376(a), 376, 34 of Indian Penal Code and Section 3 of Immoral Traffic (Prevention) Act, 1956, & Section 3, 4 of POCSO Act.
3. Case of the prosecution, in brief is that co-accused Mukku Verma was trapping the girls in love affair. Co-accused Mukku Verma, Asha Verma, Payal Sahu, Amarjeet Kaur, Gouri Yadav were operating the sex racket.

4. Learned counsel for the applicant submits that applicant has no criminal background, he is innocent and has been 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, however, submits that there is no criminal antecedent against the applicant in police case diary.
6. As per the call details and cyber report, applicant had phoned to co-accused Asha Verma.
7. The Special Judge(POCSO), Raipur did not consider as to what legally admissible evidence is available against the applicant.
8. Looking to the above mentioned facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if applicant furnishes one solvent surety for a sum of Rs.25,000/- along with a personal bond of Rs.25,000/- to the satisfaction of the concerned Court with the condition that he will appear before the trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he be released on bail.
9. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
Judge

pm