

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4454 of 2019**

Roopchand Nishad S/o Sevaram Nishad Aged About 21 Years R/o
Village Nirjam, Police Station Mungeli, District Mungeli Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Fasterpur, District Mungeli Chhattisgarh., District : Mungeli,
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Dharmesh Shrivastava, Advocate
For the State	:	Shri D.K. Tiwari, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**09/08/2019**

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.66/2019 registered at Police Station Fasterpur, District Mungeli (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Section 4,6 of POCSO Act.
3. Case of the prosecution, in brief is that on 13/05/2019 prosecutrix was more than 16 years. She is resident of village Lagra. On 13/05/2019 applicant took her by enticing on pretext of marriage and committed repeatedly sexual intercourse with her.
4. Counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Looking to the facts and circumstances of the case, looking to the material available on record, 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