

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4692 of 2019**

Nehru Lal Yadav @ Pappu S/o Rajman Yadav Aged About 20 Years
R/o Amadamak, Police Station Kelhari, District Koriya Chhattisgarh,
District : Koriya (Baikunthpur), Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police
Station Kelhari, District Koriya Chhattisgarh, District : Koriya
(Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Anil Gulati, Advocate
For the State	:	Shri Suyash Dharmadhikari, Panel Lawyer.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**13/08/2019**

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.11/2019 registered at Police Station Kelhari, District Koriya (C.G.) for the offence punishable under Sections 363, 366, 376 of IPC and Section 5 & 6 of POCSO Act and Section 3,(2)(5) of SC ST (Prevention of Atrocities) Act.
3. Case of the prosecution, in brief is that on 19/02/2019 prosecutrix was more than 17 years of age. She is resident of village Chikhli. She is member of Scheduled Tribe. Prosecutrix and applicant had liking for each other. On 19/02/2019 he 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, 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, 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