

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8569 of 2018**

Narendra Kahar S/o Shri Bahoran Kahar Aged About 35 Years R/o
Village - Deorikhurd Barkhadan Near Shriv Mandir, Thana - Torwa,
Civil And Revenue District Bilaspur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station -
Sarkanda, Civil And Revenue District Bilaspur Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Sumit Shrivastava, Advocate
For the State	:	Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****14/01/2019**

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.835/2018 registered at Police Station Sarkanda, District Bilaspur (C.G.) for the offence punishable under Section 376, 323, 506 of IPC.
3. Case of the prosecution, in brief is that on 08/03/2017 prosecutrix was 30 years old. She is resident of Sarkanda, Bilaspur. On 08/03/2017 applicant had committed forcible sexual intercourse with her in her resident. Thereafter he committed repeatedly sexual intercourse with her giving threatening to kill her. He used to beat her. On 06/10/2018 she lodged the FIR in Police Station, Sarkanda.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall 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 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 trial 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