

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9379 of 2018**

Shekhar Chauhan S/o Shri Saholiya Aged About 60 Years R/o Korea
Colliery, Police Station- Chirmiri, District- Korea, Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Manendragarh, District- Korea, Chhattisgarh.

---- **Respondent**

For the Applicant : Shri Anil Gulati, Advocate
For the State : Ms. Sangeeta Mishra, G.A.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****08/01/2019**

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. Case diary is not produced. Perused the photocopy of arrest memo provided by the counsel for the applicant in connection with the Crime No.113/2018 registered at Police Station Manendragarh, District Korea for the offence punishable under Section 376(2)(N), 506, 323 of IPC.
3. Case of the prosecution, in brief is that on 13/02/2010 prosecutrix was aged about 28 years old. She is resident of Railway Colony, Manendragarh. Since 13/02/2010 on onwards applicant committed repeatedly sexual intercourse with her on pretext of marriage. He had also given her threatening to kill.
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.
6. In the photocopy of arrest memo of applicant, which is a part of the charge-sheet. No criminal antecedents against the applicant.
7. 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.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge