

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9677 of 2018**

Ramprasad Sahu S/o Bihari Lal Sahu Aged About 19 Years R/o
Prankapa, P. S. Kunda, District Kabirdham CG

---- Applicant

Versus

State Of Chhattisgarh Through Out Post Chilfi, Police Station, Lormi,
District Mungeli CG

---- Respondent

For applicant	Mr. Pallav Mishra, Adv.
For Respondent/State	Mr. Vasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****17-1-2019**

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 392/2018 registered in Outpost Chilfe, PS Lormi, Distt. Mungeli (CG) for offence punishable under Section 363, 366, 376(3), 376(2)(h), IPC, Section 5(A), 4, 6 and 12 of the POCSO Act.
3. Prosecution story in brief is that on 17-9-2018 prosecutrix was below 16 years of age. She is resident of village Khapri. On 17-9-2018, applicant took her on pretext of marriage and committed sexual intercourse with her.
4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail. He further submits that as per certified copy of the statement of the prosecutrix recorded by the trial Court, she has totally turned hostile and not supported the prosecution case.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application.
6. Looking to the above facts and circumstances of the case, and as trial will take its own time, the application is allowed. It is ordered that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with one personal bond of the like sum to

the satisfaction of the trial Court concerned with the condition that he will appear before the concerned trial Court at 11 AM as and when directed till trial, he be released on bail.

7. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge