

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9793 of 2018**

- Sukrit Bhareva @ Sukritram Soni S/o Devchand Soni Aged About 20 Years R/o Village Saalhi. P. S. Ramanujnagar, District Surajpur, CG

---- Applicant**Versus**

- State Of Chhattisgarh Through S. H. O. Police Station Premnagar District Surajpur, CG

---- Respondent

For applicant	Mr. Shaktiraj Sinha, Adv.
For Respondent/State	Mr. Vinod Tekam, 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. 25/2018 registered in police station Premnagar, Distt. Surajpur (CG) for offence punishable under Section 363, 366, 376(2) of IPC and Section 6 of POCSO Act and Section 3(2)(5) of the SCST Act.
3. Prosecution story in brief is that on 8-3-2018 prosecutrix was more than 17 years of age. She is a resident of Parvatipur. The applicant and the prosecutrix were liking each other. On 8-3-2018 he took her by enticing on pretext of marriage. Her parents had taken her back, thereafter the applicant again took her. He had committed repeated sexual intercourse with her. She is member of scheduled tribe. The applicant is neither a member of scheduled caste nor scheduled tribe. As per photocopy of the statement of the prosecutrix recorded under Section 164 of the Cr.P.C. she had fled from her parental house along with the applicant.

4. Counsel for the applicant argued that the applicant is innocent and falsely implicated hence he be released on bail.
5. On the other hand, the Panel Lawyer appearing for the State opposed the bail application. However, he submits that no criminal antecedent of the applicant is reported in the police case diary.
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