

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 48 of 2019**

Santoshi Baghel W/o Karan Baghel Aged About 25 Years R/o Ward No. 6, Nayapara, Mahasamund, Thana And District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Mahasamund, District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Vikas Pradhan, Advocate
For the State	:	Shri Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**28/01/2019**

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.257/2018 registered at Police Station Mahasamund, District Mahasamund (C.G.) for the offence punishable under Section 4 & 6 of POCSO Act and Section 363 of IPC.
3. Case of the prosecution, in brief is that complainant is aged 17 years old and resident of Mahasamund. On 10/06/2018 applicant took him by enticing they lived at Raigarha. She used to establish physical relation with him.
4. As per the photocopy statement of the complainant he was used to love with her. He himself gone along with her she had not pressurized or threatened him to go along with her.
5. Learned counsel for the applicant submits that she is innocent and falsely implicated in the present case, therefore, she shall be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that 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 she shall appear before the trial Court at 11.00 am as and when directed till trial and she would cooperate during the trial, she shall be released on bail.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde