

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9933 of 2018**

Uttam Sonkar S/o Balram Sonkar Aged About 19 Years R/o Village-
Aamapara, Rajim, Police Station- Rajim, District- Gariyaband,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Rajim, District- Gariyaband, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Suresh Tandan, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****18/01/2019**

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.319/2018 registered at Police Station Rajim, District Gariyaband (C.G.) for the offence punishable under Section 341, 354, 354(D), 323, 34 of IPC and Section 8, 12 of POCSO Act.
3. Case of the prosecution, in brief is that prosecutrix is aged about 16 years old. She is resident of Amapara Rajim. On 08/11/2018 she along with her cousin sister was going to her house by bicycle. On the way applicant and co-accused Lochan Sonkar were standing. Co-accused Lochan Sonkar stopped cycle and applicant caught hold her hand and stated that he loves her.
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 two solvent sureties for a sum of Rs. 25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Court with the condition that he shall not involved such type of crime in future, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge