

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10044 of 2018**

Hey Ram Yadav @ Deepak S/o Shri Prakashchandra Yadav Aged
About 21 Years R/o Jawahar Ward, Ward No.11 Behind Municipal
Office Mungeli, Tahsil And District Mungeli Chhattisgarh., District :
Mungeli, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Mahila Thana, Bilaspur
District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri F.S. Khare, Advocate
For the State	:	Shri Wasim Miyan, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**23/01/2019**

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 charge-sheet provided by the counsel for the applicant in connection with the Crime No.52/2018 registered at Police Station Mahila Thana, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Section 376, 313 of IPC.
3. Case of the prosecution, in brief is that on 22/08/2017 prosecutix was more than 18 years old. She is resident of village Daupara Ramgarh Road, Mungeli. On 20/08/2017 onwards he committed repeatedly sexual intercourse with her on pretext of marriage. When she became pregnant he caused miscarriage of her by making her to consume some tablets.
4. Learned counsel for the applicant submits that he is 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. As per the photocopy of the memo of arrest which is part of the charge-sheet no antecedent has been reported against 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 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.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge