

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.10035 of 2018**

- Ravishankar Gupta S/o Late Dinesh Kumar Gupta Aged About 28 Years R/o Shivanagar Rajeev Nagar Ward No. 2, Durg, P.S.Durg Tehsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Megistrate, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. A.C. Sahu, Advocate
For Non-applicant	: Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

22.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 771/2018 registered at Police Station – Durg Kotwali, District - Durg (C.G.) for the offence punishable under Section 376 of the Indian Penal Code.
3. Case of the prosecution, in brief is that prosecutrix is about 28 years old. She is resident of Rajiv Nagar, Durg. Two months prior to 20.09.2018 applicant had committed sexual intercourse with her on pretext of marriage. Thereafter, he refused to marry with her.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these 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 Trial Court with the condition that he will 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