

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 10060 of 2018**

Anil Minj S/o Dilan Aged About 25 Years R/o Kuriyakani, P.S. Bagbahar,
Distrtict- Jashpur, Chhattisgarh., District : Jashpur, Chhattisgarh.

---- Applicant

Versus

Sate Of Chhattisgarh Through Station House Officer, P.S. Pasta,
District- Balrampur- Ramanujganj, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri CJK Rao, Advocate
For the State	:	Shri A.N. Bhakta, Dy. Adv. Gen.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/01/2019**

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.31/2018 registered at Police Station Pasta, District Balrampur-Ramanujganj (C.G.) for the offence punishable under Section 376 (2- a) of IPC.
3. Case of the prosecution, in brief is that 1½ years ago from 30/06/2018 prosecutrix was about 25 years old. She is resident of village Ukiya. Her marriage was fixed with applicant. 1½ years ago from 30/06/2018 onwards he committed repeatedly sexual intercourse with her on pretext of marriage thereafter he refused to marry with her.
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. 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 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