

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 457 of 2015

- 1. Kedarnath Nath Mittal S/o Late Motiram Mittal Aged About 40 years R/o Of Infront Of Bijli Office, Shivanand Nagar, Khamtarai, Raipur, District Raipur Chhattisgarh
- 2. Ugrasen Nayak S/o Janu Nayak Aged About 36 Years R/o Parvati Nagar, Kachna Road, Khamardih, Shankarnagar, Raipur, District Raipur Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Pandri, District Raipur Chhattisgarh

---- Respondent

And

MCRCA No. 458 of 2015

Pintu Rajeev Kumar Sonani S/o Arjun Sonani Aged About 28 years R/o House No. 30/1217, E.A.C. Colony, Shahid Nagar, Raipur, Police Station 7 Tahsil & District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Pandri, District Raipur Chhattisgarh

---- Respondent

For Applicants - Shri D.N. Prajapati, Advocate
For Respondent/State - Ms. Shubha Shrivastava, Panel Lawyer

Order On Board

09/07/2015

Heard.

Both the applications are being decided by this common order as they arise out of the same crime number.

- 1. The applicants in M.Cr.C.(A) No.457 of 2015 are apprehending their arrest in

connection with Crime No.114/2015 registered by Police Station-Pandri, District-Raipur (C.G.) for alleged commission of offences under Sections 147, 294, 323, 354, 448 of IPC.

2. The applicant in M.Cr.C.(A) No.458 of 2015 is apprehending his arrest in connection with Crime No.114/2015 registered by Police Station-Pandri, District-Raipur (C.G.) for alleged commission of offences under Sections 294, 323, 354, 147/34 of IPC.

3. Prosecution case is that the applicants entered the church premises and while prayer was going on, they abused, assaulted victims and it is also alleged that they outraged modesty of women present there.

4. Learned counsel for the applicants submit that the allegations are exaggerated in nature. There were serious allegation against one Victor Fransis of abusing and misbehaving with many ladies and when the applicants entered to lodge their protest, false report has been lodged. It is also submitted that the applicants have also lodged report in the police station against the complainant party, on which, offence has been registered on the same day in the same police station against the complainant. The applicants, are, thus, falsely implicated, as counter blast.

5. On the other hand, learned State counsel opposes prayer and submits that apart from the contents of FIR and statements of many women has been recorded, who have stated that the applicants outraged their modesty after entering the church premises when the prayer was going on. It is submitted that against the applicants, the FIR was lodged earlier in point of time.

6. Taking into consideration the contents of FIR and the statements of complainant women, I am not inclined to grant anticipatory bail to the applicants. Therefore, applications of applicants are rejected.

7. At this stage, learned counsel for the applicants submit that the accused person in the complaint made by applicants have been granted regular bail by the Court below, therefore a direction may be issued for consideration of application for grant of regular bail to the applicants.

8. Considering the prayer, it is directed that in case, the applicants surrender, cooperate with the investigation and apply for grant of regular bail, the Court below

shall consider and decide their application within three days.

Sd/-

Manindra Mohan Shrivastava

J U D G E

Rekha