

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1197 of 2015

Panchu Verma S/o Bisouha Verma, Aged About 32 Years R/o Village-
Dhourabhatha, P.S.- Ghumka, Tahsil & District- Rajnandgaon,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, P.S.- Ghumka,
District- Rajnandgaon, Chhattisgarh

---- Respondent

For Applicants	:-	Mr. F.S. Khare, Advocate.
For Respondent/State	:-	Ms. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03/12/2015

1. This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No. 121/2015, registered at Police Station- Ghumka, District- Rajnandgaon (C.G.) for offence punishable under Sections 354,451 of IPC and 12 of Protection of Children from Sexual Offence ?Act, 2012.
2. Case of prosecution, in brief, is that a complaint was lodged on 27.10.2015 by the father of the prosecutrix and stated that when he was out of the house at that time his daughter was cooking in the courtyard (Angan), the applicant entered into the house of the complainant and caught hold the hand of the prosecutrix and tried to outrage the modesty of his daughter. Thereafter, the applicant had tried to pull her out from the house and when she raised the alarm the other witnesses came there and after seeing them, the applicant ran away from the there. Hence, the offence has been registered against the applicant.

3. Counsel for the applicant submits that the complainant was the cousin brother of one Kishan Lal Verma and initially on 26.10.2015 a report was made by Ganpat Lal Verma against Kishan Lal Verma under section 354 and in order to counter the same. He further submits that the a false case has been registered against the present applicant and therefore, he may be extended the benefit of anticipatory bail.

4. Per contra, counsel for the State opposes the application for grant of anticipatory bail.

5. Having regard to the statement of the prosecutrix recorded under section 161 and 164 of Cr.P.C. wherein the prosecutrix has categorically stated about the incident which has also been corroborated by the eyewitness, I am not inclined to enlarge the applicant on anticipatory bail.

6. Accordingly, anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
JUDGE