

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 922 of 2015

Abdul Shami S/o Abdul Salam Aged About 23 Years R/o Village - Mauharpara,
Manendragarh, District - Korea Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station - Manendragarh,
District - Korea Chhattisgarh

---- Respondent

For Applicant	:	Shri Dashrath Kushwaha, Advocate
For Respondent/State	:	Shri Vinod Tekam, Panel Lawyer

Order On Board

05/10/2015

Heard.

1. This application has been filed by the applicant apprehending his arrest in connection with Crime No.166/2015, registered in Police Station -Manendragarh, District- Korea for alleged commission of offence under Sections 147, 294, 506, 323, 504, 354, 354(B) and 355 IPC and Sections 8, 12, 13 and 18 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the applicant and other co-accused, while prosecutrix was watching movie in a cinema hall, assaulted and outraged her modesty by tearing clothes and abused using filthy language.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated due to animosity with the members of Bajrang Dal. He submits that at the time of incident, the applicant was not even present in the cinema hall.
4. On the other hand, learned counsel for the State submits that the prosecutrix whose clothes were torn and other independent witnesses who were present in the cinema hall have stated regarding applicant's overt act of using filthy language and tearing of clothes.
5. Taking into consideration the submissions of learned counsel for the parties, taking

into consideration the nature of offence, I am not inclined to grant anticipatory bail to the applicant.

6. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen