

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1253 of 2015

Gopi Das Mahant @ Sukhlal Mahant, aged about 27 years, S/o late Lakhan Das Mahant, R/o Subhash Block, SECL, Korba, Tahsil and District Korba (C.G).
--- Applicant

Versus

State of Chhattisgarh through the Station House Officer, Police Chowki, Manikpur, Thana Kotwali Korba, District Korba (C.G)

For the applicant : Mr. Basant Kaiwartya, Advocate.

For the Respondent : Mr. Vivek Singhal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

17.12.2015

1. Apprehending arrest in connection with Crime No. 451/2015 registered at P.S., Police Chowki Manikpur, P.S. Kotwali, Korba, Distt. Korba (C.G) for the offences punishable u/s 354 IPC, the applicant has filed this application u/s 438 Cr.P.C.
2. As per the prosecution case, on 06.11.2015 a complaint was lodged by Vasundhara Tiwari who was a computer teacher in a private computer center that on 6.11.2015 at about 8.30 p.m., when she was returning to her house from computer center, the present applicant Gopi Das Mahant @ Sukh Das caught hold of her hand, dragged her and used filthy sexual language. The said incident was witnessed by Jitendra Barman and Pushpendra Bhardwaj Manthi Das who were present there. Thereafter a written report was lodged mentioning the name of the applicant and he was arrested.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and since there was previous enmity between the complainant and applicant, a false report was made.

4. Per contra, learned State Counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the report. In the report, the name of applicant has been clearly mentioned and direct allegations have been attributed to the applicant.
6. Considering the facts and circumstances of the case and the contents of the report, I am not inclined to enlarge the applicant on anticipatory bail. Accordingly, this bail application is dismissed.

Sd/-

**GOUTAM BHADURI
JUDGE**

Rao