

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1043 of 2015

Sonu Chandravanshi son of Anujram Chandravanshi, aged about 20 years, resident of Village Mohgaon (Sonpur), P.S. Kunda Civil and Revenue District Kabirdham
--- **Applicant**

Versus

State of Chhattisgarh, through Police Station Kunda, Civil & Rev. Distt. Kabirdham (C.G)
--- **Respondent**

For the applicant : Mr. Keshav Dewangan Advocate

For the Respondent : Mr. Ashish Shukla, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

03.11.2015

1. Apprehending arrest in connection with Crime No.128/2015 registered at Police Station Kunda, District Kabirdham (C.G) for the offences punishable under Sections 341, 365/34 of IPC, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, on 10.09.2015 the victim Sharda lodged report against the applicant and other co-accused alleging that on 06.09.2015 when she was returning after answering the call of nature, the applicant and other co-accused persons caught hold of the complainant and compelled her to sit in their vehicle and brought to Bilaspur. When they reached Bilaspur, the victim managed to escape from the vehicle of the accused and returned to her village Kunda. Thereafter a report was filed and the matter is being investigated.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated as it is impossible to hold that the victim can be brought by force in the vehicle to such a long distance and the

distance between the Kunda and Bilaspur is approximately 100 Kilometers and she accompanied the applicants with her own consent. He prays the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail. He submits that if the victim is consenting party then the report could not have been lodged. He further submits that the matter is being investigated and the applicant is absconding.
5. Considering the facts and circumstances of the case and after perusal of the statement of the victim and other witness available in the case diary, I am not inclined to release the applicant on anticipatory bail as perusal of case diary would indicate that it is not a case wherein it can be assumed that custodial interrogation may not be required. Accordingly, the bail application is rejected.

Sd/-
GOUTAM BHADURI
JUDGE