

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.(A) No. 1066 of 2016**

Vijay Kumar Mirri S/o Sadheylal Mirri, Aged About 37 Years R/o Village Khokhali, Police Station Bhatapara (Villager), District Baloda Bazar Bhatapara, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Bhatapara (Villager), District Baloda Bazar Bhatapara, Chhattisgarh.

**----Respondent**

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For applicant – Shri P.P. Sahu, Advocate.

For Respondent/State – Shri Wasim Miyan, PL.

For objector - Shri A.P. Sharma, Advocate.

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**Hon'ble Shri Justice Goutam Bhaduri****Order****22/12/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 258/2016 registered at Police Station Bhatapara (Villager), District Baloda Bazar-Bhatapara (C.G.) for offence punishable under Section 354 of IPC.

2. As per the prosecution case, a report was made on 10/09/2016 that on 5/09/2016 while the victim was coming back from the shop to her house, at that time the applicant caught hold of her hand and tried to drag her to a badi (kitchen garden) and having objected and raised alarm, brother-in-law of the victim came there, thereafter the applicant fled away.

3. Learned counsel for the applicant submits that the applicant has

been falsely implicated in the case, infact applicant is a LIC agent and for payment of premium some dispute took place for which report was made to the police and after enquiry it was found that allegation against the applicant was false and the applicant was also released on personal bond. Subsequently, report was made on 16/09/2016, therefore the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel and counsel for the objector opposes the prayer for grant of anticipatory bail.

5. Perused the statement of the victim. Considering the fact that positive statement have been made, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Sd/-  
(Goutam Bhaduri)  
JUDGE