

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1348 of 2015

Puranchand Devangan, S/o. Dehara Ram Devangan, aged about 57 years,
Occupation- Service Sub Engineer, R/o.Village Bechan Colony, Sattipara,
Ambikapur, P.S. and Tahsil Ambikapur District Surguja (C.G.)

---- Applicant

Versus

State Of Chhattisgarh Through P.S. Ambikapur District Surguja (C.G.)

---- Respondent

For Applicant :- Mr. Sumit Jhanwar, Advocate

For Respondent/ State :- Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18/02/2016

1. Apprehending arrest in connection with the Crime No. 592/2015, registered at Police Station Ambikapur, District – Surguja (C.G.) for the offence punishable under section 354 of Indian Penal Code. The applicant has filed this application under Section 438 of Cr.P.C. for grant of anticipatory bail.

2. Case of the prosecution, in brief, is that on 18.10.2015 while the victim was going along-with her children, at that time, the applicant in order to outrage the modesty of the victim offered her money to accompany him and on being refused, the applicant caught hold of her hands and tried to drag her which was intercepted by the other persons, thereafter, the applicant fled away from the spot.

3. Counsel for the applicant submits that the applicant has been falsely implicated in this case. He further submits that as the victim had taken loan, which was demanded back which resulted into an altercation between the applicant and the complainant and the victim has made the report. He further referred to the affidavit filed by the complainant and would submit that the complainant herself has stated that simple dispute has arisen between the parties. He further submits that on 02.02.2016 the State counsel was directed to verify the affidavit wherein the complainant has stated herself that simple dispute has arisen in between the complainant and the applicant and the report was made at the behest of Satish Ambust against this applicant.

4. State counsel opposes the prayer for grant of anticipatory bail, however, he submits that the report has come and the affidavit has been sworn by the complainant.

5. Taking into the fact that the contents of the affidavit and the report of the State, I am inclined to release the applicant on anticipatory bail.

5. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:-

(i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-

(Goutam Bhaduri)

JUDGE

santosh