

# **HIGH COURT OF CHHATTISGARH, BILASPUR**

## **MCRCA No. 376 of 2016**

- Ramji Miri S/o Kariya Ram Miri Aged About 39 Years R/o Village & Post Sohagpur, P.S. Urga, Tahsil Kartala, District Korba Chhattisgarh --- **Petitioner**

### **Versus**

- The State of Chhattisgarh Through Station House Officer of Police Station Urga District Korba Chhattisgarh

---- **Respondent**

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| For the applicant  | : | Mr. Shailendra Dubey, Advocate. |
| For the Respondent | : | Mr. Anant Bajpai, Panel Lawyer. |

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## **Hon'ble Shri Justice Goutam Bhaduri**

### **Order on Board**

**09.05.2016**

1. Apprehending arrest in connection with Crime No. 361/2015 of registered at Police Station Urga, District Korba (C.G) for the offences punishable under section 354, 456 of IPC , the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. This is second bail application. The earlier bail application was dismissed on 10.02.2016 on merits.
3. As per the prosecution case, on 21.12.2015 at about 9.00 o' clock when the prosecutrix came to the courtyard of her house to answer the call of nature, the applicant entered into the courtyard, caught hold of her and pressed her breast thereby he tried to outrage the modesty of the girl.
4. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and a petition u/s 482 Cr.P.C., for quashment of FIR was filed

and initially the complainant has given the affidavit which is filed as Annexure A-2 wherein she has stated that no report was lodged by her. The said facts were directed to be verified.

5. Learned State Counsel on verification submits that the statement has been given by the victim wherein she has stated that by force the affidavit was executed and she has reiterated the earlier report which was made.
6. Perused the verification report of the police about affidavit submitted by the prosecutrix wherein the statement of victim is enclosed which supports the case of prosecution. Considering the verification report, I am not inclined to release the applicant on bail. Accordingly, this bail application seeking anticipatory bail is dismissed.

**Sd/-**  
**GOUTAM BHADURI**  
**JUDGE**