

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 489 of 2016**

Hemant Dhanwar (Wrongly Mention As Dhanuwar) Aged About 26 Years S/o Julius Dhanwar, By Caste Munda, R/o B-739, Yamuna Vihar, N.T.P.C. Colony, Jamnipali, Thana Darri, Tahsil Katghora, Distt. Korba Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate Korba
Chhattisgarh

---- Respondent

For applicant – Shri Parag Kotecha, Advocate.

For Respondent/State – Shri Vivek Singhal, PL for the State.

Hon'ble Shri Justice Goutam Bhaduri**Order****23/06/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.18/16 registered at Police Station Darri for offence punishable under Section 294, 323, 354, 307 of Indian Penal Code and 8 and 12 of the Prevention of Children from Sexual Offences Act.
2. As per the prosecution case on 12/02/2016 victim girl while was coming back to her home, at that time the applicant first teased her and thereafter tried to outrage her modesty and on being objected took out the knife and assaulted the victim/girl. Thereafter, she sustained five injuries.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case because of the reason that father of the victim is working in the Police Department, therefore section 307 IPC was added and the facts would show that case is not made out under Section 307 of IPC. He submits that there was previous dispute existing between the parties and therefore applicant has been falsely implicated. Therefore, learned counsel submits that the applicant may be granted

benefit of anticipatory bail.

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

5. I have perused the case diary, documents, medical report and the statement wherein categorical statement have been made against this applicant. Taking into such statement wherein applicant has been named by the victim as also taking into consideration the medical evidence, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE