

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 652 of 2016

- Pradeep Singh S/o Mahendra Bahadur Singh Aged About 33 Years R/o Mohgaon, Thana & Tahsil Chhuriya, District Rajnandgaon, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through District Magistrate, Police Station Churiya, District Rajnandgaon, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Sameer Singh, Advocate.
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.08.2016

1. Apprehending arrest in connection with Crime No. 56 of 2016 registered at Police Station Chhuriya, Distt. Rajnandgaon (C.G) for the offences punishable under section 354, 354(A), 506, 323 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a report was made by the prosecutrix that on 28.03.2016 while the applicant went to the shop of prosecutrix demanded some Pan Mashala and while it was being given to him, he caught hold of the hand of prosecutrix thereby he tried to outrage the modesty of prosecutrix.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated and in fact the present applicant and husband run a hotel and some dispute took place between the applicant and husband of prosecutrix, therefore, false allegations have been levelled against the applicant.
4. Per contra, learned State Counsel opposes the prayer for grant

of bail.

5. Perused the statement of prosecutrix recorded u/s 164 Cr.P.C., wherein she stated that while the applicant and her husband have entered into quarrel with each other, at that time, the prosecutrix intervened and separated each of both from the scuffle.
6. Considering her statement under section 164 Cr.P.C., I am inclined to admit the applicant to anticipatory bail.
7. Accordingly, the 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 his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer.

The applicant shall also abide by the following conditions :-

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that he 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 him/her from disclosing such facts to the Court or any police officer;
- (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE