

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 122 of 2017**

- Yogesh Shukla S/o Rameshwar Shukla Aged About 23 Years R/o Chhindnar Bazarpara Police Station Geedam Revenue & Civil District South Bastar Dantewada, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Police Station Geedam, District South Bastar Dantewada, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. P.K. Tulsyan, Advocate
For State:	Mr.N.K. Mehta, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****08.05.2017**

1. The present application u/s 438 of the Cr.P.C. for grant of anticipatory bail has been filed by the Applicant apprehending his arrest in connection with Crime No. 02/2017 registered by the Police Station – Geedam, District- South Bastar Dantewada, whereby he has been charged for the offence punishable under Sections 363, 365, 366, 354 and 506(B) of the Indian Penal Code and Sections 3(1)(10), & 11 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. The allegation against the present Applicant is that the complainant was forcibly taken away from her house by the present Applicant on 15.12.2016 and said to have kept her on illegal confinement till 08.01.2017 and in between it is said to have harassed her physically as well as mentally.
3. On perusal of the documents and also the photographs enclosed along with the Application it clearly indicates that it is the case where the complainant is said to have left her house voluntarily without any force or coercion. The

photographs also show that in the intervening period they were living as husband and wife. It prima facie appears to be a case filed under the pressure of the parents of the complainant.

4. Having considered the submissions made by the Counsel for the parties and on perusal of the record considering more particularly the age of the complainant and the Applicant being more than 23 years, this Court is of the opinion that a strong case for grant of anticipatory bail has been made out in favour of the Applicant.
5. Accordingly, the present MCRCA is allowed.
6. It is directed that in the event of arrest, the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000 with two sureties for the like sum to the satisfaction of the Officer arresting him. He shall abide by all the following terms and conditions:-
 - (i) that the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 - (ii) that the accused/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 him/her/them from disclosing such facts to the Court or to any police officer;
 - (iii) that the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the accused/applicant shall appear before the trial court on each and every date given to him by the said court till disposal of the trial.

Sd/-

(P. Sam Koshy)
JUDGE