

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE (A) NO. 267 OF 2017

Avinash, S/o Dhanesh Verma, aged about 23 years, Caste Lodhi, R/o Village Achholi, P.S. Dongergarh, District Rajnandgaon (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Station House Officer, Police Station-Bortalab, District Rajnandgaon (C.G.)

... Non-applicant

For Applicant	:	Mr. Anukul Biswas, Advocate.
For Non-applicant/State	:	Mr. Ashok Swarnakar, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

05/05/2017

1. The present application has been filed under Section 438 of CrPC for grant of anticipatory bail to the Applicant who is apprehending his arrest in connection with Crime No. 2 of 2017, registered at Police Station-Bortalab, District- Rajnandgaon, for the offences punishable under Sections 354, 294, 323, 341, 506/34 of IPC.
2. Learned Counsel for the Applicant submits that the Applicant has been falsely implicated in the present case on account of the fact that there was some family rivalry and that the victim in the present case is a step-sister of the Applicant and there was no reason why the Applicant would have committed such an act against the said victim.
3. Learned Counsel for the State however opposes the bail application and reads out the statement of the victim wherein she has specifically made direct allegation against the present Applicant of having outraged her modesty on the road and that he also threatened her. In addition, from the perusal of the record it also reflects that the victim is a minor girl of 16 years of age on account of which, provisions of the Protection of the Children from the Sexual Offences Act, 2012 have also been charged against the present Applicant.

4. Considering the nature of allegation levelled against the present Applicant and also considering the statement of the victim, this Court is of the opinion that the present is not a fit case for grant of anticipatory bail to the Applicant.

5. Accordingly, the present application under Section 438 of CrPC is dismissed.

/sharad/

Sd/-
(P. Sam Koshy)
Judge