

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 393 of 2017**

1. Vinod S/o Bhagat Vasudev Aged About 32 Years
2. Neeku S/o Santosh Vasudev, Aged About 23 Years

Both R/o Village Bachhera, Police Station Simga, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh, Through Police Station Simga, Civil & Revenue District Baloda Bazar -Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	Mr. Adil Minhaj, Advocate
For Respondent/State	Mr. Luv Sharma, Panel Lawyer

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****24/5/2017**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.314/2016, registered at Police Station Simga, District Baloda Bazar-Bhatapara (CG) for the offence under Sections 354, 456/34 of IPC.
3. Having perused the case diary, it appears, the allegation of outraging the modesty of the prosecutrix is against applicant No.1- Vinod, therefore, the bail application filed on his behalf

deserves to be and is hereby dismissed.

4. As against applicant No.2 -Neeku, there is no allegation that he entered the house of the prosecutrix or has even tried to outrage her modesty. He only accompanied applicant No.1 Vinod and was waiting outside the house.
5. On due consideration, I am of the opinion that present is a fit case, in which, applicant No.2 – Neeku deserves to be extended the benefit of anticipatory bail.
6. Accordingly, the bail application in respect of applicant No.2- Neeku is allowed and it is directed that in the event of arrest of this applicant, if he furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned arresting/investigating officer or the Court concerned, as the case may be, then, he shall be released on bail on the following further conditions :
 - (i) that the applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required ;
 - (ii) that the 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 from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
7. In the result, the bail application filed in respect of applicant No.1- Vinod is dismissed and in respect of applicant No.2- Neeku is allowed.

Sd/-

Vacation Judge

(Prashant Kumar Mishra)