

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1170 of 2016**

1. Lovekush Kashyap, S/o. Late Sewaram Kashyap, aged about 40 years, Ward No.8, Bhidimuda, Ratanpur, District – Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station – Ratanpur, District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Goutam Khetrapal, Advocate
For Respondent/State	: Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****06/01/2017**

1. Apprehending arrest in connection with Crime No.193/2016 registered at Police Station- Ratanpur, District – Bilaspurn (C.G.), for offence punishable under Section 294, 506 of the Indian Penal Code and Section 3 (1) (x) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, the applicant has preferred this application for grant of anticipatory bail.
2. The case of the prosecution, in brief, is that a report was made by Asha Suryawanshi against the present applicant that on 25.07.2016, the applicant entered into the room of complainant, who is the President of Nagar Palika Parisad, thereafter, abused her in the name of caste and tried to outrage her modesty. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case because of the fact that the applicant was earlier Vice President of Nagar Palika Parisad and

the wife of the applicant is also a Councilor and because of political rivalry, false allegations have been attributed and earlier to it the applicant on 25.06.2016 had lodged a report against the present applicant to the police that there are every likelihood that false report would be filed. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary, report filed by the complainant as also the statement of the complainant. Considering the statement of the complainant, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicant as it can not be stated that custodial interrogation of the applicant may not be required. Therefore, I am not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge