

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No.110 of 2018**

Baikunth Prasad, S/o Ravicharan, aged about 30 years, Resident of Village Torfa, Chouki Balangi, Police Station Raghunath Nagar, District Balrampur – Ramanujganj, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through Chouki Balangi, Police Station Raghunath Nagar, Balrampur, District Balrampur – Ramanujganj, Chhattisgarh

---- Respondent

For Applicant	:	Shri A.K. Yadav, Advocate
For Respondent/State	:	Smt. M. Asha, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****11.4.2018**

1. The Applicant is apprehending his arrest in connection with Crime No.75 of 2017 registered at Police Station Raghunath Nagar, District Balrampur – Ramanujganj for the offence punishable under Sections 294, 506, 354, 456 of the Indian Penal Code.
2. Facts of the case are that on 2.9.2017, the prosecutrix lodged a report alleging that on 14.7.2017 at about 8:00 p.m., the Applicant entered her house and with an intent to humiliate her caught her hands. On being shouted by her, nearby residents gathered there. The Applicant abused and threatened her of life. On the basis of her report, the aforesaid crime for the offence punishable under Sections 294, 506, 354, 456 of the Indian Penal Code was registered.
3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent. He has been falsely implicated in the case

due to enmity. He has not committed the alleged offence. The FIR was lodged after 1 month and 18 days of the alleged incident. No proper explanation has been given for delay in lodging the FIR.

4. On the other hand, Learned Counsel appearing for the State opposes the prayer for grant of bail to the Applicant.
5. I have heard Learned Counsel appearing for the parties and perused the material available with due care.
6. As per the prosecution story, the incident took place on 14.7.2017 at about 8:00 p.m. and the FIR was lodged on 2.9.2017. With regard to delay in lodging the FIR, it has been explained by the prosecutrix that she lodged the FIR belatedly because of the threat given by the Applicant and she lodged the same when she got support of her family members. Without further commenting on merits of the case, I am inclined to extend benefit of anticipatory bail to the Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid offence, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs.10,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned Trial Court. He shall also abide by all the following terms and conditions:
 - (i) 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 from disclosing such fact to the Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
JUDGE