

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 274 of 2018

- Vivek Kumar Gupta S/o Late Shri Mohan Lal Gupta Aged About 44 Years R/o Archana Vihar, Gandhi Nagar, Police Station Civil Line, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Takhatpur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Hemant Gupta, Advocate.
For Respondent	:	Mr. Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

13/07/2018

1. Apprehending arrest in connection with Crime No.76/2018 registered at Police Station- Takhatpur, District – Bilaspur(C.G.), for offence punishable under Sections 294, 506, 354, 323, 354(१) of the Indian Penal Code (for short 'IPC'), the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. It is submitted that a totally improbable story has been put-forth by the complainant/victim. The complainant is in the habit of filing such complaints. She has made a complaint in the year 2013 also, which was found to be false in

the inquiry made by Police Station Chakarbhata. The real fact is that on 17.2.2018 present applicant was called by the complainant and he was thrashed & injured by the complainant and her associates and to cover that incident, a false FIR has been lodged by the complainant. Hence, it is prayed that he may be granted anticipatory bail.

3. Learned counsel for the State opposes the bail application and submissions made in this respect. It is submitted that looking to the direct allegations made by the complainant against this applicant, he is not entitled for grant of anticipatory bail.
4. I have heard both the parties and perused the case diary.
5. According to the case against this applicant, on 17.2.2018 between 11.30-12.00 a.m. this applicant followed the victim to the school where she worked, he caught hold of her hands, touched her breast and when the victim objected, this applicant abused her and threatened to throw acid on her face. He also assaulted and caused injury to the complainant.
6. The allegations against this applicant are of serious in nature. The story that has been build up by the applicant can be proved by him in his defence. For the aforesaid reason, I am not inclined to grant bail to this applicant.
7. Accordingly, the anticipatory bail application is rejected. Documents submitted along with the application be returned to counsel for applicant.

Sd/-
(Rajendra Chandra Singh Samant)
Judge