

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No.340 of 2018**

Mohd. Hussain Ali, aged about 38 years, son of Mohd. Jalil, R/o Ghurdeva, via Bankimongara, Tahsil Katghora, District Korba, Chhattisgarh

---- Applicant

versus

State of Chhattisgarh through the AJAKS Thana Korba, District Korba, Chhattisgarh

---- Respondent

For Applicant	:	Shri Govind Ram Miri, Advocate
For Respondent	:	Shri Sameer Behar, Panel Lawyer

Hon'ble Shri Justice Arvind Singh Chandel**Order on Board****4.5.2018**

1. The Applicant is apprehending his arrest in connection with Crime No.4 of 2018 registered at Police Station AJAKS Korba, District Korba for offence punishable under Sections 376 and 506 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.
2. Case of the prosecution, in brief, is that on the basis of a report lodged by the prosecutrix, the aforesaid crime has been registered against the present Applicant for offence punishable under Sections 376 and 506 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.
3. Learned Counsel appearing for the Applicant submits that the Applicant has falsely been implicated. He is innocent. He is a resident of Village Ghurdeva. He is a 38 years old man. He is the

only earning of his family. *Prima facie*, no case is made out against him. Therefore, he may be released on anticipatory bail.

4. Learned Counsel appearing for the State/Respondent opposes the prayer for grant of anticipatory bail. He submits that a *prima facie* case is made out against the Applicant.
5. I have heard Learned Counsel appearing for the parties and perused the material available with due care.
6. Considering the facts and circumstances of the case, I am not inclined to release the Applicant on anticipatory bail.
7. Accordingly, the bail application is rejected.
8. It is directed that in the event of arrest of the Applicant, the Trial Court shall decide the matter as early as possible.

Sd/-
(Arvind Singh Chandel)
JUDGE