

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. (A) No. 1142 of 2017**

Radheshyam Dansena, aged 32 years, S/o Shri Bihari Dansena, R/o Village Masankuda, P.S. Baramkela Tehsil Baramkela, District Raigarh (C.G.)

---- Applicant

Versus

State of Chhattisgarh, through District Magistrate, Raigarh, District Raigarh (C.G.),
Concerned Police Station Baramkela, Tehsil Baramkela, District Raigarh (C.G.)

---- Non-applicant

For Applicant	:	Mr. B.N. Nande, Advocate.
For Non-applicant	:	Mr. Avinash Singh, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board**

22/03/2018

(1) The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 117/2017 registered at police station Baramkela for the offences punishable under Sections 354, 452 & 506 of the Indian Penal Code.

(2) Case of the prosecution, in brief, is that on 17.11.2017 the applicant has outraged modesty of the complainant by entering into her house and thereby committed the aforesaid offences.

(3) Learned counsel for the applicant would submit that the applicant has been falsely implicated in the offence in question as he has not committed any offence. In fact, wife of the accused/applicant has lodged complaint against the complainant, for which FIR has been lodged against the complainant, and on account of which a false report has been lodged by the complainant against the applicant and, therefore, the applicant may be extended the benefit of

Section 438 of the Code of Criminal Procedure.

(4) On the other hand, learned counsel for the State would submit that he has received instructions from the police station that complainant's FIR was found to be false on enquiry, as such, the applicant is not entitled for anticipatory bail.

(5) Considering the submissions made by learned counsel appearing for the parties; and the material available on record against the applicant, I am not inclined to extend the benefit of anticipatory bail in favour of the applicant. Thus, the application for grant of anticipatory bail is rejected.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-