

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) No. 487 of 2018

- Shekahr Chauhan S/o Late Saholia Aged About 59 Years R/o Koriya Colliay, P. S. Chirmiri, Tahsil Khadgawan, District Korla Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Manendragarh, District Korla Chhattisgarh.

---- Non-applicant

For Applicant : Shri Punit Ruparel, Advocate.

For Non-applicant : Ms. K. Tripti Rao, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board

06.07.2018

1. This is an application for grant of anticipatory bail under Section 438 of the Cr.P.C. preferred by the applicant.
2. The applicant is apprehending his arrest in connection with Crime No. 113/2018 registered at Police Station- Manendragarh, Korla (C.G.), for offence punishable under Sections 376(2)(n), 506, 323 of the Indian Penal Code.
3. Case of the prosecution, in brief is that the prosecutrix is near about 38 years old and resident of Moharpara, Koriya. Four years from 06.03.2018, the applicant enticed her and kept her as wife and committed sexual intercourse promising to marry. Physical relationship was continued. He had not performed marriage with her and given

threatening to kill her.

4. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case, earlier on the information of the prosecutrix the police has not lodged any cognizable offence against him. He had given applications to police officials that the prosecutrix is blackmailing him saying that she will implicate him in false case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application.
6. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting anticipatory bail to the applicant on society, this Court is not inclined to give benefit of Section 438 of the Cr.P.C. to the applicants.
7. Consequently, the present anticipatory bail application is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE