

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 805 of 2018

- Chandramani Bhoy S/o Harishankar Bhoy, Aged About 30 Years, R/o Kasaiya, Gharghoda, Police Station And Tahsil Gharghoda, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Gharghoda, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Ms. Madhunisha Singh, Advocate.

For Non-applicant/State – Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-08-2018

1. Apprehending arrest in connection with Crime No.154/2018, registered at Police Station –Gharghoda, District Raigarh, Chhattisgarh for offence punishable under Section 376, 511, 324, 506 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. The prosecutrix is his sister-in-law with whom he had played a joke on the date of incident i.e. on 19-05-2018, but because of some misunderstanding a meeting of village elders was also called in the very next day and the dispute was resolved. But subsequently on 24-05-2018 a totally false FIR has been lodged by the prosecutrix making false allegation. Apart from that, no offence of rape is made out, according to all the material present in the case. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged in this case, it is alleged that this applicant forced his entry into the house of the prosecutrix and then caught her from

behind and when she raised alarm he fled away from the spot.

6. After considering on the entire material present in the case diary and the documents attached along with the application, I am of this opinion that this applicant should be benefited with grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge