

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 847 of 2018

- Pramod Mishra @ Pappu Mishra S/o Shri D. D. Mishra, Aged About 39 Years, R/o Q. No. A-6, Shubhash Bolck, SECL, Korba, District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through Chauki Manikpur, Police Station Kotwali, District Korba Chhattisgarh, District : Korba, Chhattisgarh

----Non-applicant

For Applicant – Shri Samir Singh, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

24-08-2018

1. Apprehending arrest in connection with Crime No.04/2018, registered at Police Station – Kotwali, District Korba, Chhattisgarh for offence punishable under Section 452, 354, 294 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 date of incident is 06-06-2018 whereas the FIR has been lodged on 22-06-2018 and the delay has not been explained. There had been some dispute between the applicant and the complainant family, because of which, the false FIR has been lodged against him. 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 submitting that there is clear and direct statement given by the complainant/victim in the FIR, statement recorded under Section 161 and 164 of the Cr.P.C., hence, the applicant is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. It is alleged that on the date of incident, i.e., 06-06-2018 the applicant

came to the house of the complainant/victim and caught hold of her hand with intent to outrage her modesty and when she and her mother-in-law objected to do so, this applicant abused and threatened the complainant and others. Similar incident also took place on the next day when this applicant came with one another person and threatened the complainant with dire consequences.

6. Looking to the direct evidence against this applicant and nature of allegation against this applicant, I do not feel inclined to grant anticipatory bail to this applicant. Consequently, the application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge