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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 898 of 2018**

Mohan Yadav S/o Shri Indro Yadav Aged About 27 Years By Caste Mahakul R/o Village Palidih (Dhaniyapara), Thana And Tahsil Patthalgaon Civil And Revenue Distt. Jashpur Chhattisgarh.

---Applicant**Versus**

State Of Chhattisgarh, Through The Station House Officer, Police Station Patthalgaon Civil and Revenue Distt. Jashpur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sumit Shrivastava, Advocate
For Respondent/State	: Mr. Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****05/09/2018**

1. Apprehending arrest in connection with Crime No.116/2018, registered at Police Station – Patthalgaon, District – Jashpur (C.G.) for offence punishable under Section 457, 354, 506, 323 & 427 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case on account of previous enmity. No case is made out against the applicant according to the material present in the case diary. Hence, it is prayed that he applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that there is ample evidence present in the case diary against the applicant to make out prima-facie case against him, hence, he is not entitled to be released on anticipatory bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. It is alleged that on the date of incident at about 3.00 AM, before sun rise, this applicant by force committed house trespass in the house of the victim and then outraged her modesty, abused and thrashed her. Subsequent to that he also damaged the property of the victim. This incident went on till morning with threatening that, if she lodges any FIR, then she have to face dire consequences.
6. Considered the submissions made and the contents of the case diary. After due consideration on all the material present in the case diary and the evidence available on record against the applicant , this Court is not inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge