

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 968 of 2018

- Ishwar Chakradhari S/o Shri Janak Lal Chakradhari Aged About 27 Years R/o Village Ward No. 10, Bandhiyapara Dondi, Tahsil Dondi, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Dallirajhara, District Balod Chhattisgarh, District : Balod, Chhattisgarh

---- Respondent

For Applicant : Mr. T.K. Jha, Advocate.
For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/09/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.122/2018 registered at Police Station- Rajhara, District – Balod(C.G.), for the offence punishable under Sections 376 & 506 of the Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits, that applicant is innocent and has been falsely implicated in the crime in question. No case is made out against the applicant. The prosecutrix is of age 30 years and she was a major girl at the time of incident, who had consented for physical relation with applicant, totally false FIR has been lodged against the applicant. Hence, it is prayed that he may be released on

anticipatory bail.

3. Learned counsel for the respondent/State opposes the applications and submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. It is alleged that the prosecutrix is about age of 30 years was allured by the applicant with false promise to marry her and then had physical relation with her on number of occasions since 2015 to 2018, and thereafter, he has refused to marry her and is threatening the prosecutrix with dire consequences. Hence, this case.
6. After considering the entire material present in the case diary, I am of this view that this is a fit case where the applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application of applicant is allowed and 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 his executing a personal bond in the sum of Rs.25,000/- each 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.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha