

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1191 of 2018**

Parasnath Ravi S/o Bachchu Ram Aged About 35 Years R/o Village Kewara,
(Chameli Para) Police Station Jhilmili, Tahsil Bhaiyathan, District - Surajpur,
Chhattisgarh., District : Surajpur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Of Police
Station - Jhilmili, District - Surajpur, Chhattisgarh., District : Surajpur,
Chhattisgarh.

---- Respondent

For the Applicant : Shri Anil Gulati, Advocate.
For the Respondent/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****22.10.2018**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.

2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 112 of 2018, registered at Police Station – Jhilmili, District – Surajpur, Chhattisgarh under Sections 376(2)(f)(h) and 506 of the Indian Penal Code.

3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. A false FIR has been lodged because of the family dispute between the applicant

and his brother, whose wife is the prosecutrix. Totally false allegation has been made in this case against the applicant, which is unbelievable. The medical evidence is also not positive in support of commission of crime as alleged. Hence, it is prayed that the applicant be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that *prima facie* case is made out against the applicant. Hence, the application be rejected.

5. Heard counsel for both the parties and perused the case diary.

6. As it is alleged that the applicant on number of occasions harassed and ravished the prosecutrix sexually, regarding which, she continuously complained to her husband, in-laws and other relatives and ultimately, FIR has been lodged on 16.7.2018. Hence, this case.

7. On considering, that the applicant has harassed and exploited the prosecutrix on various occasions and the statements have been given by the witnesses, it appears that the prosecution has a case. Hence, for these reasons, I do not feel inclined to allow the application.

8. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge