

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 722 of 2017

- Pusau Ram Dindore S/o Chumuk Das Dindore, Aged About 22 Years, R/o Village Langhwatola, Police Station Lormi, Civil District And Revenue District Mungeli, Chhattisgrh., Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, through Station House Officer, Police Station Lormi, Civil District and Revenue District Mungeli, Chhattisgarh., Chhattisgarh

---- Non-applicant

For Applicant – Shri Pallav Mishra, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-05-2018

1. Apprehending arrest in connection with Crime No.457/2014, registered at Police Station – Lormi, District Mungeli, Chhattisgarh for offence punishable under Section 363, 366/34, 376 of the IPC and Section 4 of POCSO Act, 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. The applicant has married with the prosecutrix in Arya Samaj Temple, and the marriage has been registered accordingly. The prosecutrix was above 18 years of age on the date of incident, hence, no case is made out against this applicant. Therefore, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the non-applicant/State opposes the application.
4. I have heard the learned counsel for the parties and perused the case diary.
5. It is alleged against the applicant that he abducted the minor prosecutrix and subjected her to sexual intercourse.

6. Considered on material present in the case diary. Statement of the prosecutrix recorded under Section 164 of the Cr.P.C. gives some support to the contention made by the applicant in this case. Hence, looking to the circumstances present, I am of this view that the applicant deserves to be granted 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