

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C.(A). No. 84 of 2019**

Rahul, S/o. Yashwant, Aged About 18 Years, R/o. Ward No. 9 Bajarpara
Lailunga, P. S. and Tahsil Lailunga, District Raigarh, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer Police
Lailunga, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. M.K. Jaiswal, Advocate
For Respondent/State : Mrs. Smita Jha, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/02/2019**

1. Apprehending arrest in connection with Crime No.178/2018, registered at Police Station – Lailunga, District – Raigarh (C.G.) for offence punishable under Section 354 (Gha) of the Indian Penal Code and Section 8, 12 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. No case is made out against the applicant on the basis of the material present on record and because of some misunderstanding, the FIR has been lodged against the applicant by the complainant. The applicant is boy of just 18 years and he himself is a student. Therefore, it is prayed that the 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.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. FIR has been lodged against the applicant alleging that the applicant constantly used to follow the victim and thus was harassing her. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, this Court is 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 allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram