

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 119 of 2019

- Shekh Farid S/o Shri Shekh Sakil, Aged About 28 Years, R/o Nayapara Ward Dhamtari, Civil And Revenue District- Dhamtari Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through The Station House Officer, Police Station- City Kotwali, Dhamtari, Civil and Revenue District- Dhamtari Chhattisgarh

---- Non-applicant

For Applicant –Shri Sumit Shrivastava, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-02-2019

1. Apprehending arrest in connection with Crime No.604/2018, registered at Police Station –City Kotwali Dhamtari, Chhattisgarh for offence punishable under Section 354, 294, 323, 506/34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. No offence is made out against him for the commission of offence under Section 354 of the IPC, whereas, the rest of the offences are bailable in nature. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged, complainant Dr. Nushrat Hashmi was present on the spot, at that time because of some parking dispute the co-accused persons, one Shekh Mobin and one unidentified person with the intent to outrage her modesty used physical force on her body, assaulted, abused and threatened her. It is alleged that this applicant arrived on the spot subsequent to the incident and he also threatened and assaulted the

complainant.

6. After considering on the allegations, particularly against this applicant which are present in the FIR and the statement of the complainant, I feel inclined to allow this application.

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