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HIGH COURT OF CHHATTISGARH, BILASPUR**Cr.M.P. No. 757 of 2019**

Ku. Rani Yadav D/o Ramdhario Yadav Aged About 20 Years R/o Yadavpara, Trikunda, Tahsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh.

---- Petitioner**Versus**

1. Nitesh Kumar Yadav S/o Jagdish Yadav Aged About 23 Years R/o Village And Police Station- Trikunda, Tahsil- Ramanujganj, District- Balrampur- Ramanujganj, Chhattisgarh., District : Balrampur, Chhattisgarh
2. State Of Chhattisgarh Through Police Station- Trikunda, District- Balrampur Ramanujganj, Chhattisgarh.

---- Respondents

For the Petitioner	:	Shri Vikash Pandey, Advocate.
For Respondent No.1	:	Shri Neeraj Mehta, Advocate.
For Respondent No.2/State:	:	Shri Shrikant Kaushik, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****19.12.2019**

Heard.

1. This petition has been brought under Section 439(2) of the Code of Criminal Procedure with a prayer for cancellation of the anticipatory bail granted to respondent No.1/ applicant – Nitesh Kumar Yadav in M.Cr.C. No. 107 of 2019 vide order dated 8.2.2019.

2. It is submitted that subsequent to grant of anticipatory bail, respondent No.1 is threatening and pressurizing the petitioner to withdraw the complaint against him, regarding which she had made a complaint to the police on 25.2.2019 and also on 26.2.2019, therefore, the applicant is very clearly violating the conditions in grant of anticipatory bail. Hence, the anticipatory

bail order existing against him be cancelled and the applicant be taken into custody.

3. Learned for respondent No.1 submits that the petitioner is making false allegation against respondent No.1 because of grant of anticipatory bail to respondent No.1; she has lodged false complaint to the police making allegations against respondent No.1 which has been enquired and a report has been submitted. Copy of the same is annexed as Annexure – R-1/3. The report clearly exonerates respondent No.1 and it is clearly mentioned in the report that subsequent to release on bail, respondent No.1 has never visited the village of the petitioner.

4. Learned State counsel makes a formal objection.

5. Considered the submissions and also perused all the documents filed alongwith the petition and also with the reply. Taking into consideration the enquiry report submitted by the police on the complaints made by the applicant, I am of this view that there is no ground for cancellation of anticipatory bail earlier granted to the applicant.

6. Accordingly, this Cr.M.P. is dismissed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge