

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 537 of 2019

- Pramod Gupta S/o Shri Kishori Lal Gupta, Aged About 39 Years, Caste Vaishya, R/o Ward No.12, Baikunthpur, P.S. And Tahsil Baikunthpur, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Baikunthpur, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Pushpendra Kumar Patel, Advocate.

For Non-applicant/State – Shri Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

22-04-2019

1. Apprehending arrest in connection with Crime No.89/2019, registered at Police Station – Baikunthpur, District Korea, Chhattisgarh for offence punishable under Section 354 and 354(A) 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 case is made out. Another witness of this incident namely Roshani Sahu has given a totally different statement giving affidavit before the Sessions Court that no such incident has taken place. Hence, it is a case where the applicant has been implicated in false case. Therefore, 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 submitting that looking to the evidence of the prosecutrix herself, no case is made out for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. As alleged in the FIR lodged, on the date of incident the applicant gave

the complainant/prosecutrix a lift on his motorcycle and while riding the applicant caught hold of hand of the prosecutrix and tried to make her touch his private part. Hence, this case.

6. Looking to the nature of allegation against the applicant in the statement given by the prosecutrix, I do not feel inclined to allow this application.

7. Accordingly, the application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge