

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 888 of 2019

- Rasheem Khan S/o Zaheer Khan, Aged About 30 Years, R/o Near India Public School Sanjay Nagar, Police Station - Tikrapara, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Tikrapara, District - Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri J.K. Gupta, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

21-06-2019

1. Apprehending arrest in connection with Crime No.297/2019, registered at Police Station – Tikrapara, District - Raipur, Chhattisgarh for offence punishable under Section 363, 366 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. According to the statement given by the victim of this case under Section 164 of the Cr.P.C. no case of abduction for the purposes of illicit intercourse or forcing her for marriage is made out. Hence, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The FIR was lodged by mother of the victim stating that her minor girl, the victim has been abducted by some unknown person. The minor victim was recovered and thereafter, she has made a statement before the JMFC under Section 164 of the Cr.P.C. that on invitation given by this applicant she accompanied him to various places and thereafter the applicant left her and went away. Hence, this case.

6. On considering on the material present in the case diary and the statement of the victim given in this case, 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