

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1183 of 2019**

- V. Jeti Rishabh S/o Jeti Nana G Aged About 23 Years R/o Patnampara Ward No.4, Sukma, District Sukma Chhattisgarh.,

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Sukma, District Sukma Chhattisgarh.

---- Respondent

For Applicant	:	Shri Praveen Tulsyan, Advocate.
For Respondent.	:	Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

19/08/2019

1. This is the first application filed by the applicant under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, who is apprehending his arrest in connection with Crime No. 28/2019, registered at Police Station Sukma, District Sukma (CG) for the offence punishable under Sections 493, 376, 313 of the IPC.
2. Case of the prosecution is that the prosecutrix lodged a report that the applicant on the pretext of marriage maintained physical relations with her and when she became pregnant, he aborted the child and thereafter continued physical relation with the prosecutrix.
3. Learned counsel for the applicant submits that to falsely implicate the applicant, the prosecutrix has come with a cooked up story. He submits that the applicant is innocent and he has been falsely implicated in the case. He prays for releasing the applicant on

anticipatory bail.

4. Counsel for the State, however, opposes the application for anticipatory bail.
5. I have heard learned counsel both the parties and perused the case-diary.
6. Considering the totality of the facts, in particular, the nature of allegations against the applicant and considering that the prosecutrix appears to be a consenting party, without further commenting on merits, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application filed under Section 438 Cr.P.C. is allowed.
7. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him. He shall abide by all the terms and conditions laid down in Section 438 (2) of the Code of Criminal Procedure.
8. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

