

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1204 of 2019**

- Pawar Singh Yadav S/o Budhram Yadav Aged About 47 Years R/o Village Tengna, Barpaar, Police Station Gurur, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Gurur, District Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Respondent**MCRCA No. 1206 of 2019**

- Rajendra Kumar Thakur S/o Kheduram Thakur Aged About 47 Years Caste Halba, R/o Tegna Barpara, Police Station Gurur, District Balod, Chhattisgarh, At Present, R/o Adarsh Nagar, Jaipur, District- Korapur, Odisha., District : Koraput, Orissa

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Gurur, District- Balod, Chhattisgarh., District : Balod, Chhattisgarh

---- Respondent

For Applicants	:	Shri Avinash Chand Sahu, Advocate.
For Respondent/State	:	Shri Anurag Verma, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

20/08/2019

1. Heard.
2. As these two applications (MCRCA No. 1204/2019 and MCRC No. 1206/2019) under Section 438 of the Cr.P.C. filed by the applicants for grant of anticipatory bail, who are apprehending arrest in connection with Crime No.121/2019 registered at Police Station - Gurur, District - Balod, C.G. for the offence punishable under Sections 363, 366, 376 and 506/34 of the Indian Penal Code, are being disposed off by

this common order.

3. As per the prosecution case, it is alleged that on 04.02.2019, the prosecutrix was outside of her aunties home, at the same time the applicant Rajendra Kumar along with other co-accused Pawar Singh Yadav came there, abducted the prosecutrix, took her to Kondagaon and established forcefully sexual intercourse with her and solemnized marriage with her in the temple. The another accused Pawar Singh Yadav helped the applicant Rajendra Kumar in the alleged commission of offence. On the basis of complaint made by the prosecutrix, the offence was registered against the applicants under Sections 363, 366, 376 and 504/34 of the IPC.
4. Learned counsel for the applicant submits that the applicants have been falsely implicated in this case. He further submits that the applicants have no criminal antecedent and if they are arrested in the present case, they will suffer irreparable loss. The prosecutrix herself went with the accused Rajendra Kumar and solemnized marriage with her. Hence, it is prayed that the applicants are entitled for grant of anticipatory bail.
5. On the other hand learned counsel for the State opposes the bail application.
6. Heard counsel for the parties and perused the case diary.
7. Looking to the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application is allowed.
8. It is directed that in the event of arrest of the applicants in

connection with the aforesaid offence, they shall be released on bail by the Officer arresting them on executing a personal bond in the sum of Rs.25,000/- (to each) with one surety in the like sum to the satisfaction of the concerned Investigating Officer. They shall also abide by the following conditions:

- i. that the applicants shall make themselves available for interrogation before the Investigating Officer as and when required;
- ii. that the applicants shall not, directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- iii. that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge