

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1486 of 2019

- Naresh Dewangan S/o Late Kishore Dewangan Aged About 28 Years R/o Khamargaon, Pujaripara, Post - Babu Samera, Police Station Nagarnar, Tahsil and District Jagdalpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Kotwali, Jagdalpur, District Bastar, Chhattisgarh.

---- Respondent

AND

MCRCA No. 1587 of 2019

- Narhari Dewangan S/o Late Puran Dewangan Aged About 45 Years R/o Dhodhrepal, Post - Chhotedevda, Police Station - Kotwali, Jagdalpur, Tahsil - Bakwand, District - Bastar Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station - Kotwali Jagdalpur, District Bastar Chhattisgarh.

---- Respondent

For Applicant (in MCRCA No. 1486/2019)	: Shri Siddharth Rathod Advocate.
For Applicant (in MCRCA No. 1587/2019)	: Shri Awadh Tripathi, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

15/11/2019

1. The applicants have preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No.

424/2019 registered at Police Station Kotwali, Jagdalpur District – Bastar, (C.G.) for the offence punishable under Sections 294, 323, 354, 506 and 34 of Indian Penal Code.

2. As per the prosecution story, prosecutrix who is a married lady, made a written report with the averments that when she had gone to Patharguda Dewangan Samaj to attend a social meeting alongwith her family members, allegedly, present Applicant Naresh (MCRCA No. (1486/2019) abused her, slapped her on cheeks 4-5 times and thereafter both the applicants grabbed her hair and tried to outrage her modesty. On the basis of the said report, offence has been registered.
3. Learned Counsel appearing for the applicants submit that the applicants are innocent and have been falsely implicated in the present case due to family dispute with the applicants. They further submit that, if the entire story is taken as it is, the case seems to be concocted. Also, it is not possible that such an incident had taken place in a social meeting. It is further submitted that applicants are reputed persons, therefore, it is prayed that they may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties and further considering the facts and circumstances of the case, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.
7. Accordingly, the bail applications are allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on

each of them furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. They shall also abide by all the following terms and conditions :

- (i) They 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 fact to the Court,
- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge