

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1720 of 2018

- Naveen Singh S/o Ajay Kumar Singh Aged About 23 Years R/o Q T R. No.-1/b, Sadak- 03, Sector -10, Civic Centre, Bhilai, Tahsil And District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Mr. T.K. Jha, Advocate.
For Respondent	:	Mr. Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

18/01/2019

1. Apprehending arrest in connection with Crime No.374/2018 registered at Police Station- Mohan Nagar, Durg District – Durg(C.G.), for offence punishable under Sections 342, 376, 506/34 of the Indian Penal Code (for short 'IPC'), the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that applicant has been falsely implicated in this case. It is submitted that no case is made out against this applicant. All the allegation that have been made by the prosecutrix are against the main accused Vicky Singh. The only statement with respect with this applicant is this, that he sat with main accused and had some drinks which does not amounts to any offence.

Hence, it is prayed that he may be benefited with grant of anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that this applicant had put the prosecutrix under threat to remain in company with main accused Vicky Singh, therefore, he is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. According to the case diary, the prosecutrix and Vicky Singh became friends on Facebook and then on invitation of Vicky Singh the prosecutrix came to Durg, where he took her to lonely place in a house and then physically exploited her without her willingness and consent. The allegation against this applicant only is this, that the applicant invited by the main accused Vicky Singh for drinks and after having drinks he left the place.
6. After considering that all the evidence that has been collected in the investigation so far, I am of this view that this is a fit case where applicant should be benefited with grant of anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and 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 his executing a personal bond in the 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 them by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge