

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 51 of 2020

Laxman Choudhary S/o Dharam Kumar Choudhary, aged about 28 years, R/o Village Lambipali, Tahsil And District Bargarh Odisha.

---- Applicant

Versus

State Of Chhattisgarh through the Station House Officer, Police Station Chakradhar Nagar, Raigarh District Raigarh Chhattisgarh.

---- Respondent

For Applicant	: Mr. Hari Agrawal, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.
For Objector	: Mr. Neeraj Pradhan, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/06/2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with Crime No. 433/2019, registered at Police Station: Chakradhar Nagar, District: Raigarh (C.G.) for the offence punishable under Section 354, 294 & 506 of IPC.
3. According to the case of the prosecution, at the intervening night of 06.09.2019 & 07.09.2019 at around 01:00 A.M., the Applicant entered the house of the complainant namely Priyanka Rani Acharya who is aged about 27 years. Allegedly, at that time the Applicant tried to outrage the modesty of the complainant and also misbehaved with sisters of the complainant. It is further alleged that, the Applicant abused them and also took mobile phone of the complainant. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He submits that there was a love relationship between the complainant and the Applicant. On the date of incident, the Applicant visited the house of the complainant on the insistence of the complainant, thereafter, due to some dispute the matter was reported on being pressured by parents of the complainant, therefore, it is prayed that the Applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State as well as counsel for the objector opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case and arguments adduced by the counsel for the parties, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the Applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on 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 and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. 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.

Sd/-

(Arvind Singh Chandel)
Judge