

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 46 of 2020**

Gangaram Sahu S/o Late Shri Tularam Sahu, aged about 65 years, Caste Sahu, Occupation- Agricultural R/o Village Parsada Kala, P.S. and Tahsil Baradwar, District Janjgir-Champa (C.G.)

---- Applicant**Versus**

State of Chhattisgarh through Police Station Baradwar, District Janjgir-Champa (C.G.).

---- Respondent

For Applicant	:	Mr. Prakash Tiwari, Advocate
For Respondent	:	Mr. Ghanshyam Patel, Govt. Advocate
For Objector	:	Mr. Ishwar Jaiswal, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board**08/06/2020**

1. The matter is heard through video conferencing.
2. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 334/2019 registered at police station – Baradwar, District Janjgir-Champa (C.G.) for the offence punishable under Section 354 of the Indian Penal Code.
3. In this case, the applicant is father-in-law of the Complainant. According to the case of the prosecution, the marriage of the Complainant was solemnized with the son of the applicant on 19/04/2018. On 15/12/2019, the Prosecutrix had lodged a report alleging therein that on 04/05/2018 at about 09:30 pm, when she was

cooking food in kitchen, the applicant came there and tried to outrage her modesty. On the basis of said report, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some dispute with the Complainant. He further submits after the incident, the Complainant started to reside separately and thereafter she made a false and fabricated report after 1 ½ years. The delay in lodging the FIR has not been properly explained.
5. Learned counsel appearing on behalf of the State and Objector oppose the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case and the argument advanced by counsel for the parties and further considering the fact there is delay of 1 ½ years in lodging the FIR which has not been explained, without further commenting on other merit of the case, I am inclined to release the applicant on anticipatory bail.
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 bond in the sum of Rs.10,000/- 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 make 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.

10. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul