

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 126 of 2020**

- Shambhunath Tiwari S/o Late Laxminarayan Tiwari Aged About 52 Years R/o Kenabandh, Ambikapur, Bouripara, Police Station And Tahsil Ambikapur, District - Surguja Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Ambikapur District - Surguja Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. V.K. Pandey, Advocate
For Respondent-State	:-	Mr. Siddharth Dubey, Dy.G.A.
For Complainant	:-	Mr. Amit Kumar Sharma, Advocate

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**23/06/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.562/2019, registered at Police Station Ambikapur, District Surguja C.G. for offences punishable under Sections 354 & 323 of the IPC and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
2. Although, the allegation against the applicant is of outraging the

modesty of the nine years old girl, however, subsequently, the parents of the girl have retracted the allegation and made application before the CSP, Ambikapur for making a fair enquiry.

3. Today, applicant has filed documents including enquiry report dated 09.06.2020 in which the CSP, Ambikapur has observed that parents of the prosecutrix do not want any action on their complaint as no such incident of molestation was committed by the applicant.
4. Considering the entire fact situation of the case, this Court is inclined to extend the benefit of anticipatory bail.
5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (I) he shall make himself available for interrogation by a police officer as and when required;
- (ii) he 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 from disclosing such facts to the Court or to any police officer.

SD/-
(Prashant Kumar Mishra)
Judge