

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 494 of 2020**

- Vidyanand Sahu S/o Nanduram Sahu Aged About 59 Years
Occupation Incharge Principal, At Govt. High School, Village
Khajuri, R/o Village Kodpuri, P. S. Hirri, Tahsil Takhatpur, District
Bilaspur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police
Station Hirri, District Bilaspur Chhattisgarh

---- Respondent

For Applicant	Mr. KPS Gandhi, Advocate
For Respondent/State	Ms. Fouzia Mirza, Additional Advocate General
For Complainants	Mr. Aman Kesharwani, Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****21/8/2020**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.25/2020 registered at Police Station Hirri, Civil and Revenue District Bilaspur (CG) for the offence punishable under Sections 354, 354(a) of the IPC and Sections 8, 12 of the

Protection of Children From Sexual Offences Act, 2012.

3. The applicant is the Principal of Government High School, Khajuri, P.S. Hirri, District Bilaspur (CG). A complaint was lodged by the villagers alleging that the applicant used to commit aggravated sexual offence against the minor girl students. Subsequently, the parents/complainants moved an application before the Dy. S.P., AJK, Bilaspur that they have lodged the complaint under some confusion and they do not want any action. The affidavits of the parents were also filed, however, when this Court directed for verification of the affidavits, it was reported that the parents of the complainant have not given any such affidavits.
4. Now countering the report, Mr. KPS Gandhi, learned counsel for the applicant, has filed fresh affidavits of the complainants dated 15.8.2020 again stating that because of the dispute regarding handing over the charge of Principal of the School, the complaint was lodged, however, no such incident, as alleged against the applicant, has taken place.
5. Mr. Aman Kesharwani, learned counsel appearing for the complainants/parents, would also submit that the complainants did not want any action against the applicant.
6. Considering the different stands taken by the parents at different stages of the investigation and before this Court, I am inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.

7. 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 furnishing 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 for disclosing such facts to the Court or to any Police Officer.
- (iii) he shall not influence the witnesses during pendency of the trial.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna