

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 561 of 2020

Arvind Kumar Rajak S/o Shri Rahaslal Rajak Aged About 30 Years R/o Adarsh Chowk Mangla, Bilaspur, Tahsil And District Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station, Civil Line Thana, District Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr. Anand Sukla, Advocate.

For Respondent/State : Ms. Hamida Siddiqui, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

29/06/2020

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. 125/2020, registered at Police Station Civil Line Thana, Distt. Bilaspur, Chhattisgarh for the offence punishable under Sections 354 & 506 of the IPC.
3. In this case, the prosecutrix is a sister-in-law of the applicant. On 19.02.2020, she made a report against the applicant alleging therein that on 18.02.2020 at around 8 PM, when she was watching Television, the applicant entered in her room and grabbed her hands, started teasing her and when she resisted, the applicant abused her and gave threat of killing. 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 his real brother. He further submits that earlier also, the prosecutrix has lodged report against the applicant on the same allegations. The Counsel further submits that to create pressure upon the

applicant, a false and fabricated report has been lodged by the prosecutrix. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on 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 for a sum of Rs. 25,000/- with one solvent 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 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