

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 713 of 2020

Gitendra Tiwari S/o Late Basant Tiwari, Aged About 32 Years R/o Village Aamne, Police Station And Tahsil Takhatpur, District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through, Police Station Takhatpur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Kalyan Kalamkar, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16.07.2020

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. 193/2019, registered at Police Station: Takhatpur, District: Bilaspur (C.G.) for the offence punishable under Section 354 of IPC.
3. According to the case of the prosecution, on 22.06.2019, complainant lodged a written report, alleging therein that, since last 01 year, the present Applicant is mentally harassing her and tried to outrage her and on 21.06.2019, the present Applicant was watching her from the window of her house and at that time, her father caught him due to which some dispute happened between the Applicant and her father. 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. Virtually, the complainant is a major girl and also there was a love relationship between them. He submits that, on the date of incident, father of the complainant saw the Applicant that is why due to pressure from the parents of the

complainant, she has lodged report against the present Applicant, therefore, 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 the parties.
7. Considering the facts and circumstances of the case and arguments adduced by 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