

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 711 of 2020**

- Dheeraj @ Dheeru S/o Durga Prasad Shukla Aged About 24 Years Caste Bramhin, Occupation Hotel Tea Bread, R/o Masaniya Kala, Police Station and Tahsil Sakti, District Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through- The Police Station Sakti (District Magistrate), District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicant : Shri Mirza Kaiser Baeg, Advocate.

For Respondent/State : Shri Vikram Sharma, Dy. 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 preferred the first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 151/2020 registered at Police Station Sakti, District – Janjgir-Champa, (C.G.) for the offence punishable under Sections 506 & 354 (D) of Indian Penal Code and Section 12 of POCSO Act.
3. According to the case of the prosecution, on 20.4.2020 victim/complainant who is a girl, made a report against present applicant with the averment that applicant had continuously committed sexual harrassment with her by stalking her and on 20.4.2020 itself

applicant intimated her of life by telephone. On the basis of the said, offence has been registered.

4. Learned Counsel appearing for 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 that virtually there was love relationship between applicant and complainant/victim and due to that they used to talk with each other through phone. It is further submitted that due to the pressure made by the family members of the complainant, a false and fabricated report has been lodged against applicant. *Prima facie*, no case is made out against present applicant. Therefore, it is prayed that applicant may be granted benefit of anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned Counsel appearing for the parties.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and after going through the statement of the prosecutrix/complainant and other materials available on record, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
8. Accordingly, the bail application is allowed.
9. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent

surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) 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/her from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He 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