

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 901 of 2020

Digvijay Maravi S/o Late Gulab Singh Aged About 31 Years R/o Village Akhraar
Mauhapani PS Lormi, District Mungeli Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh P.S. Through Lormi, District Mungeli Chhattisgarh.

----Respondent

For Applicant : Mr. Dheerendra Pandey, Advocate.
For Respondent/State : Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

21/09/2020

1. The matter is heard through video conferencing.
2. Heard on IA no. 02/2020 for amendment of correct District Mungeli instead of District Bilaspur in cause title of the bail application.
3. For the reasons mentioned in the application, the same is allowed. Let necessary amendment be incorporated during course of the day.
4. 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. 287/2019, registered at Police Station Lormi, Distt. Mungeli(C.G.) for the offence punishable under Sections 354, 506 & 34 of the IPC.
5. In this case, the prosecutrix is a girl aged about 18 years. According to the case of prosecution, on 24.06.2019, report has been lodged by the prosecutrix alleging therein that on 23.06.2019 at night when she was sleeping in her courtyard at about 1:30 AM, the applicant and other co-accused persons namely Manmohar Maravi, Parmeshwar and Bhanu Maravi entered inside her house, tried to outrage her modesty and also threatened to kill her. On the basis of said report, offence has been registered.
6. 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 the complainant/prosecutrix. He further submits that both the parties have settled their dispute with their own consent and now the prosecutrix have no objection if the bail may be granted to the applicant, the prosecutrix also made an affidavit and no objection letter in this regard. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

7. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
8. I have heard learned Counsel for the parties.
9. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the fact that both the parties have settled their dispute. 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.
10. Accordingly, the anticipatory bail application is allowed.
11. 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