

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 919 of 2020

Rohan Singh S/o Anil Singh Aged About 25 Years R/o House No 6 - A/b, Road No. 32, Sector - 10, Bhilai Nagar, District : Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Bhilai Nagar, District : Durg, Chhattisgarh

---- Respondent

For Applicant : Mr. Goutam Khetrapal, Advocate.

For Respondent/State : Mr. Alok Nigam, G.A.

For Objector : Mr. Tarendra Kumar Jha, Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

18.09.2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this First 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.235/2020, registered at Police Station: Bhilai Nagar, District: Durg (C.G.) for the offence punishable under Section 354 of IPC.
3. In this case, prosecutrix is a girl aged about 19 years. According to the case of prosecution, on 15.06.2020, the prosecutrix lodged a report against the present Applicant alleging therein that, on 14.06.2020, at around 01:30 P.M. when she was going to meet her friend, at that time, the present Applicant stopped her near Street No.32/34 and asked her to sit in his car, when the

prosecutrix sat in his car, the present Applicant touched her chest and thereby outraged her modesty, thereafter dispute occurred between them and the Applicant fled away from the spot. On the basis of said, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case. He submits that from the contents of FIR it appears that the prosecutrix and the Applicant known each other before the date of incident and there was a love relationship between them, due to some dispute occurred between them that is why the Applicant is falsely implicated in the present case. He also submits that the incident is of 14.06.2020 and report has been made on 15.06.2020, delay is not been properly explained therefore, he prays for grant of anticipatory bail to the Applicant.
5. Per contra, learned counsel appearing on behalf of State as well as for the Objector opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties and after going through the contents of FIR, it appears that the prosecutrix and the Applicant known each other before the date of incident and also there was a love relationship between them and after going through the entire contents as well as annexed documents and further considering the fact that FIR has been lodged next day of the incident, 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