

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1843 of 2019**

1. Pravesh Patel, S/o Prabhu Patel Aged About 29 Years R/o Village Ghugharikala, Police Station Kawardha, District Kabirdham, Chhattisgarh.
2. Ramesh Patel S/o Prabhu Patel Aged About 21 Years R/o Village Ghugharikala, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through District Magistrate, Kabirdham, Chhattisgarh.

---- Respondent

For Applicants	: Shri Dharmesh Shrivastava, Advocate.
For Respondent/State	: Smt. Seema Dixit, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****11/02/2020**

1. The applicants have preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 444/2019 registered at Police Station Kawardha, District – Kabirdham, (C.G.) for the offence punishable under Sections 354, 506, 34 of I.P.C.
2. As per the prosecution story, complainant who is a married lady, lodged a report on 15.10.2019 alleging *inter alia* that on 11.10.2019 around 10:30 pm when she went to toilet with her sister-in-law near kitchen garden, allegedly, both the applicants came there and tried to drag the complainant by holding her hands. Incident was witnessed by sister-in-law and brother-in-law of the complainant. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that, virtually, on 11.10.2019 around 8:30 am husband of the complainant caught hold the hands of wife of applicant No. 1. and the matter was reported on the same day and on the basis of the said report, offence under Sections 294, 323, 506 & 354 of I.P.C. has been registered against husband of the complainant. Thereafter, a false and fabricated report has been lodged as a counter-blast to make pressure upon present applicants. Looking to the above, present applicants may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. 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, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them 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. They shall also abide by all the following terms and conditions :

- (i) They 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 them from disclosing such fact to the Court,
- (ii) They shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge