

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 2088 of 2019

Ramnath Gupta S/o Late Srinath Gupta, aged about 56 years, R/o Daupara Chowk, Mungeli, P.S- Tahsil & District: Mungeli (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through Police Station: Lalpur, District: Mungeli (C.G.)

---- Respondent

For Applicant	: Mr. B.P. Sharma, Mr. M.L. Sakat, Advocates.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

04/02/2020

1. 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. 231/2019, registered at Police Station: Lalpur, District-Mungeli (C.G.) for the offence punishable under Section 354 & 454 of IPC.
2. In this case complainant is the wife of one Hemkumar, who is working as Sweeper in the Government School, Kodwapaani, District: Mungeli (C.G.). The present Applicant is the principal of the said school. As per the prosecution story, complainant has lodged a report alleging therein that on 19.11.2019 at around 11:30 A.M. she was accompanying her daughter and son, allegedly, the Applicant came to her premises and outraged her modesty and also abused her. On the basis of said, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case. He submits that husband of the prosecutrix was always negligent towards his duties, never done his work properly and several warning was given to him for not doing his work sincerely and to maintain discipline in his job, therefore, he had falsely implicated the present Applicant in order to take revenge therefore, he prays for grant of anticipatory bail to the Applicant.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties and particularly considering the fact that there was delay in filing the F.I.R as the incident is of 19.11.2019 and the prosecutrix told about the incident to her husband on 21.11.2019 and the report was lodged on 24.11.2019, 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.
7. Accordingly, the anticipatory bail application is allowed.
8. 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