The High Court Of Madhya Pradesh
MCRC-51055-2020
(ANURAG SONKAR VS. STATE OF MADHYA PRADESH)

Jabalpur, Dated : 21-12-2020

Heard through Video Conferencing.

Mr.Siddharth Datt, learned counsel for the applicant.

Mr.Utkarsh Agrawal, learned Panel Lawyer for the respondent/State.

Mr.N.Khan, learned counsel for the Objector.

This is the first bail application filed by the applicant-Anurag Sonkar under Section 438 of the Cr.P.C. for grant of anticipatory bail who is apprehending his arrest in connection with **Crime No.188/2020** for offences punishable under Sections 376, 294 and 506 of IPC registered at Police Station-Civil Lines Jabalpur, District- Jabalpur (M.P.)

The applicant is apprehending his arrest in the aforesaid case. The charge against him is of having raped the prosecutrix. The prosecutrix is about 22 years of age, who is an adult. The period of offence is between 22.10.2019 to 31.10.2019. As per the 164 statement of the prosecutrix, she states that she had come to know about the applicant at a marriage and thereafter they started communicating over social media and came to know each other. She further states that the applicant told her that he wants to marry her but that his mother has fixed his marriage elsewhere. She

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further states that she told the applicant to get married to the girl selected by his mother. However, the applicant is stated to have told the prosecutrix that he wanted to marry the prosecutrix only. Thereafter, she says that she was called to Taiyabali Petrol Pump by the applicant on 22.10.2019, from where she was taken by the applicant at his friend house where he is stated to have raped her. Thereafter, on several occasions, she says that the applicant had physical relationship with her under the promise of marriage. On 02.08.2020, she asked the applicant to marry her, she was called to the house of the friend of the applicant where again, the applicant is said to have established physical relation with the prosecutrix.

Learned counsel for the Objector and the State have submitted that the application for grant of anticipatory bail should be rejected as the applicant is allegedly threatening the prosecutrix of disfiguring her by throwing acid on her face. He has also stated that his client has reported the matter to the police but because the applicant is politically influent due to which he is not being arrested.

Heard, the learned counsel for the parties, the allegation against the applicant of threatening to disfigure the prosecutrix and that he belongs to a political influent family, is a bald statement without substantiation, *prima-facie* it appears to be consensual relationship between two adults.

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Under the circumstances, the application is allowed and it is directed that if the applicants are arrested by the Arresting Officer, they shall be enlarged on bail upon their furnishing a personal bond in the sum of **Rs.50,000/- (Fifty Thousand Only) each** with one solvent surety each in the like amount to the satisfaction of the Arresting Officer.

However, the applicant is warned that he will make no attempt at contacting the prosecutrix or trying to influence her in anyway, he shall also not try to contact her phone or by any other medium of communication. If the applicant violates the said condition, the prosecutrix is at liberty to move an appropriate application seeking cancellation of bail granted to the applicant herein.

C.C. as per rules.

(ATUL SREEDHARAN)

JUDGE

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