

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 88 of 2021**

- Sukhdev Singh, S/o Goverdhan Singh, Aged About 32 Years, R/o Village Trishuli, Police Station Sanawal District Balrampur Ramanujganj (Chhattisgarh).

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Sanawal District Balrampur Ramanujganj (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Shakti Raj Sinha, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.06.2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 29/2020 registered at Police Station- Sanawal District Balrampur Ramanujganj (C.G.) for commission of the offence punishable under Sections 147, 149, 506(II), 323, 365 r/w 34 of IPC.
3. Case of the prosecution is that, present applicant along with other co-accused persons abuses the complainant- Tahira Begam in filthy language and also assaulted her and thereafter, they abducted the complainant and confined her overnight in a nearby forest. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that name of the present applicant was not mentioned in an FIR. He next added that other co-accused

have already granted anticipatory bail in MCRCA No. 1589/2020 by co-ordinate bench of this Court, therefore, the present applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail by submitting that name of the applicant is mentioned in an FIR, therefore, he may not be granted anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular other co-accused have already granted anticipatory bail in MCRCA No. 1589/2020 by co-ordinate bench, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 50,000/- with one local surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make himself available for interrogation before the concerned investigating officer as and when required.
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that 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/-
(Rajani Dubey)
Judge**