

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****Misc. Criminal Case (A) No.145 of 2021**

- Ravindra Kumar S/o Shri Prem Shankar Sahu Aged About 25 Years R/o Village- Shivprasad Nagar, Post Banja, Tahsil- Bhaiyathan, Police Station And District- Surajpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station- Surajpur, District- Surajpur, Chhattisgarh.

---- Respondent

 For Applicant : Shri Anil Gulati, Advocate
 For respondent/State : Shri Dinesh Tiwari, Dy. Govt. Advocate
 For Objector : Shri Arun Shukla, Advocate

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****25.6.2021.**

1. The applicant has preferred this bail application under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.528/2020, registered at Police Station Surajpur Distt. Surajpur (CG) for the offence punishable under Section 376 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that, a report was lodged by the victim alleging therein that on 05.10.2020 her engagement was performed with the applicant and their marriage was fixed for 13.12.2020. After the engagement, on 26.10.2020, the applicant came to their village, visited her and on the promise

of marriage, he established physical relationship with her without her free consent and then demanded a car costing to Rs.8 lakh before marriage, thereafter he refused to marry her.

3. Learned counsel for the applicant submits that the applicant is innocent and falsely implicated in the crime. It is a case of consent and no role was attributed by the applicant for the commission of alleged offence. He further submits that there was delay in lodging the FIR. The applicant will not tamper the evidence, therefore, he may be granted anticipatory bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Engagement ceremony was performed between the applicant and the victim on 05.10.2020 and their marriage was fixed for 13.12.2020. Taking advantage of this situation, after alluring the victim and taking her into confidence that she will become his wife, the applicant established physical relation with her and thereafter refused to marry her. Looking to the above facts and circumstances, I am not inclined to grant anticipatory bail to the applicant.

6. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is dismissed.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)
JUDGE