

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 160 of 2021**

- Sanjay Batra S/o R.M. Batra Aged About 55 Years R/o Fafadih, Police Station Ganj, Raipur, Tehsil And District Raipur Chhattisgarh. At Present R/o Andheri (West) Mumbai Maharashtra.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Kabir Nagar, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Manoj Paranjape, Adv.
For Respondent/State	: Mr. B. P. Banjare, Dy. G.A.
For Objector	: Mr. Devarshi Thakur, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2021**

1. Proceeding through video conferencing.
2. Complainant is present with her counsel.
3. 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. 233/2020 registered at Police Station- Kabir Nagar, Raipur, District Raipur (C.G.) for commission of the offence punishable under Sections 294, 323, 377, 506 of the IPC.
4. As per the prosecution case, the allegation against the present applicant is that between 16.07.2009 and 14.06.2020 the applicant, who is the husband of the complainant, used to harass and assault the complainant and forced for the unnatural sexual intercourse.
5. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. Referring to Annexure A/5 he would argue that on 19.1.2020 a complaint was made against the complainant that she is demanding an amount of Rs. 2 crores and is threatening

the applicant to implicate in a false criminal case and she herself left the matrimonial house and started residing at Raipur. He further contended that the applicant made various complaints against the complainant and also send the legal notices to her for restitution of the conjugal rights but the complainant is not ready to restore the matrimonial relationship. The applicant is a very famous personality and is a T.V. Actor, thus, counsel for the applicant pleaded for anticipatory bail of the applicant by this Court.

6. On the other hand, counsel for the State as well as counsel for the Objector opposes the application for anticipatory bail.
7. After hearing counsel for the parties and considering the facts and circumstances of the case, 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.
8. 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**