

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC (A). No. 185 of 2021

Ankit Thawait S/o Late Yatendra, Aged About 29 Years, R/o -Kosabadi,
 District : Korba, Chhattisgarh.

---- Applicant

Versus

The State of Chhattisgarh Through Police Station -Shyang, District : Korba,
 Chhattisgarh.

--- Respondents

MCRC (A) No. 191 of 2021

Ankit Thawait S/o Late Yatendra, Aged About 29 Years, R/o -Kosabadi,
 District : Korba, Chhattisgarh.

---- Applicant

Versus

The State of Chhattisgarh Through Police Station -Shyang, District : Korba,
 Chhattisgarh.

--- Respondents

For Applicants	: Mr. Parag Kotecha, Advocate.
For Respondent-State	: Mr.Rakesh Sahu & Shri Anand Verma, Dy. GA.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

26/03/2021

Heard.

1. As both anticipatory bail applications are filed by the same accused in two different crime numbers, applications are being disposed of by this common, order.
2. These are the first bail application for grant of bail to the applicants who has been arrested in M.Cr.C (A) No.185/2021 in connection with Crime No.25/2020 registered at Police Station –Shyang, District -Korba, (C.G), for the offences under Sections 212 & 225 of Indian Penal Code. In M.Cr.C (A) No.191/2021 in connection with Crime No.26/2020 registered at Police Station –Shyang, District -Korba, (C.G), for the offences under Sections 354, 294 & 325 of Indian Penal Code.
3. In M.Cr.C (A) No.185/2021, case of the prosecution, in brief, is that applicant committed an offence under Sections 212 & 225 of IPC. As per the case of the prosecution in aforesaid crime, one of the accused person namely Mujammil Khan was seen by the Police personnel travelling in Ambulance which was

driven by the present applicant. The Police asked him to stop the Ambulance but he did not stop. Thereafter, the Police followed the said Ambulance and also blow the siren even than applicant drove Ambulance with high speed and after some distance, he stopped the Ambulance and made the Mujammil Khan to flee away.

4. In M.Cr.C(A) No.191/2021, case of the prosecution, in brief, is that present applicant entered into the house of complainant and asked her to make physical relationship, when she did not agree applicant forcefully pushed her to the wall due to which she suffered injury over her head also tried to remove her clothes.
5. Shri Parag Kotecha, learned counsel for the applicant submits that the Police for ulterior motive has registered one after another false case against present applicant. Applicant has not committed any crime as alleged against him. He also submits that except offence under Section 354 other offences are bailable.
6. On the other hand, learned State Counsel opposes the submissions made by learned counsel for applicant and submits that as per complaint and contents of case diary, there is specific evidence against present applicant. They also referred statements of Police Officer and prosecutrix under Section 161 and 164 of Cr.P.C, hence, applicant is not entitled for benefit under Section 438 of Cr.P.C.
7. Heard learned counsel for the parties.
8. Considering the entire facts and circumstances of the case, nature of allegation, statements of Police Officer and prosecutrix, I am not inclined to grant anticipatory bail to applicant.
9. Accordingly, both anticipatory bail applications are dismissed.

Sd/-

(Parth Prateem Sahu)
Judge

Jamal/-