

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 422 of 2021

- Laxmi Banjare W/o Vishva Aged About 35 Years R/o B. S. U. P. Colony, Saddu Raipur Chhattisgarh ----- **Applicant**

Versus

- State Of Chhattisgarh Through Police Station Vidhansabha Raipur Chhattisgarh ----- **Respondent**

For Applicant	–	Mr. Badruddin Khan, Advocate
For State	-	Mr. Pawan Kesharwani, P.L.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.07.2021

1. Apprehending arrest in connection with Crime No. 09/2021 registered in Police Station Vidhansabha Distt. Raipur (C.G.) for offence punishable under Sections 294, 506, 354, 34 of Indian Penal Code, the applicant has preferred this application under Section 438 of Cr.P.C. for grant of anticipatory bail.
2. As per the prosecution case, on 05.01.2021 a report was made by the complainant Firoza Bano that the present applicant along with the others namely Sunil, Chandu, Neha Mishra & Preeti Sagar has abused, extended threat and tried to outrage the modesty of minor girl. It is alleged that the husband of Preeti Sagar, Sunil and Chandu had caught hold of the daughters of the complainant, thereby the offence is committed.
3. Learned counsel for the applicant submits that initially the applicant has made a report on 02.01.2021 which is filed along with this application wherein it is alleged that the molestation actually was done to minor children Arti Banjare and Payal Ratre by the husband of Firoza Irani, who has made the subsequent complaint. It was reported by the applicant that on 01.01.2021, they were intoxicated and were threatening the people and since they had stalked the minor children with a bad motive, as such, having been objected it inflated into some altercation for which the report was made. He further submits that in order to

counter the same, a false report has been made by the wife of one of the accused- Ali Hasan Jafri namely Firoza Bano, therefore the applicant may be enlarged on bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Both the FIRs lodged by the applicant is perused wherein certain serious allegations have been made by the present applicant against Firoza Irani, Ali Irani, Yasin Ali and others. The said FIR was received by the police on 02.01.2020. Subsequently, it appears that the FIR has been lodged by Firoza Bano on 05.01.2021. After perusal of the FIR, the primary allegation against the present applicant appears to be made is that Laxmi Banjare along with others used to torture the poor people.

6. Taking into consideration the nature of allegation against the present applicant, it is directed that in the event of arrest, this Court is inclined to release the applicant on bail. Accordingly, this application is allowed.

7. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting her on furnishing a personal bond to a sum of Rs. 25,000/- with one surety each in the like sum to the satisfaction of the concerned investigating officer. The applicant shall also abide by the following conditions:

- (i) that the applicant shall make herself available for interrogation before the 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 of the case so 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 her by the said Court till disposal of the trial.

Sd/-

(Goutam Bhaduri)

Judge