

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 419 of 2021**

Lokesh Lenjhare S/o Mahesh Lenjhare, Aged About 30 Years
 R/o Police Line, Rajnandgaon, Tahsil And District
 Rajnandgaon Chhattisgarh. --- **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police
 Station Madanwada, District Rajnangaon Chhattisgarh. ----
Respondent

For the applicant	:	Mr. Aditya Bharadwaj, Advocate.
For the Respondent	:	Mr. Ashish Tiwari, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****27.07.2021**

1. Apprehending arrest in connection with Crime no. 02/2021 registered at Police Station Madanwada, Distt. Rajnandgaon (C.G) for the offences punishable under Sections 354(A) 354(D) 34 of IPC and sections 7 & 8 of the Protection of Children from Sexual Offences Act, the applicant has filed the application for grant of anticipatory bail.
2. As per the prosecution case, on 01.02.2021 the applicant along-with others who are in police department went to the house of prosecutrix and called for one Heeru. Having said that he is not in the house and when the people available there including the prosecutrix started fleeing away, the applicant caught hold of the hand of prosecutrix, thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant was working in the police department and in order

to investigate such crime in such capacity he along-with others went to the house of prosecutrix to enquire about one Heeru, therefore, no offence has been committed. It is in order to create a defence, a false report has been made, therefore, the applicant may be admitted to bail u/s 438 of the Code of Criminal Procedure.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the report. The applicant is working in police department and while searching for one Heeru they went to the house of prosecutrix and when they were running away, the applicant in his capacity has tried to catch hold of them.
6. Considering the nature of allegations and the duty which the applicant is discharging at the relevant time, I am inclined to allow this bail application.
7. Accordingly, the application is allowed and 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 him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) he shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that he 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 any police officer;

(iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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