

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 429 of 2021**

1. Rajesh Lakra S/o Late Rambhrosh Lakra Aged About 30 Years Resident - Village - Alakhdiha, Police Station- Balrampur, District- Balrampur-Ramanujganj (Chhattisgarh)
2. Indrajeet Thakur S/o Preamsagar Thakur Aged About 32 Years Resident - Village - Pindra, Police Station- Balrampur, District- Balrampur-Ramanujganj (Chhattisgarh)

---- applicants**Versus**

- State Of Chhattisgarh Through- Police Station- Balrampur, Balrampur, District- Balrampur-Ramanujganj (Chhattisgarh)

---- Respondent

For applicants	:	Shri Akath Kumar Yadav, Advocate
For Respondents/State	:	Shri Rahul Jha, GA
For Objector	:	Shri Vikash A. Shrivastava, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order****28/07/2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants apprehending their arrest in connection with Crime No. 41/2021 registered at Police Station Balrampur, District Balrampur-Ramanujganj for the offence punishable under Sections 294, 323, 354, 450, 506 Read with 34 of Indian Penal Code.
3. As per the prosecution case, a report was made by the complainant that on

20.02.2021 while the prosecutrix was cleaning her house at that time the applicants caught hold of her hand and tried to drag her inside the room and when she shouted her husband came and they fled away.

4. Learned counsel for the applicants would submit that the applicant No.1 Rakesh Lakra is the brother-in-law of the prosecutrix and applicant No.2 Indrajeet Thakur is the friend of applicant No.1 and because of the certain family dispute certain false report was made on the previous enmity and presently the victim has filed an affidavit and he refers to the affidavit and would submit that the issue has been resolved in between the house, therefore, the applicants may be extended the benefit of anticipatory bail.
5. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
6. Learned counsel for the complainant would submit that the applicants may be enlarged on bail.
7. Considering the fact that the nature of allegation and the submission of the complainant that she has no objection if the bail is granted to the applicants. Taking into the background of facts it is in between the family members, I am inclined to allow this anticipatory bail application.
8. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (i) that the applicants shall make themselves available for interrogation before the investigation officer as and when required;
- (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu