

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A.) No. 438 of 2021

- Anurag Singh S/o Shishupal Singh Aged About 24 Years R/o Dhangarnala Colony, Dharamjaigarh, Police Station- Dharamjaigarh, District- Raigarh, Chattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Dharamjaigarh, District- Raigarh, Chattisgarh

---- Non-applicant

For Applicant – Mr. Dharmesh Shrivastava, Advocate.

For Non-applicant/State – Mr. Gurudev I. Sharan, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08-04-2021

1. Heard.
2. This is third application filed by the applicant for grant of anticipatory bail. The first application M.Cr.C.(A.) No.569 of 2019 was dismissed as withdrawn on 07.01.2019. Second application M.Cr.C.(A.) No.1780/2019 dismissed as withdrawn.
3. The applicant has been apprehending arrest in connection with Crime No.22/2019, registered at Police Station – Dharamjaigarh, District- Raigarh, Chhattisgarh for offence punishable under Section 376, 506, 509(B), 341 and 354(D) of the I.P.C. and Sections 4 and 6 of POCSO Act and Section 67(B) of the Information and Technology Act, the applicant has preferred this application for grant of anticipatory bail.
4. It is submitted by the learned counsel for applicant that the applicant has

been falsely implicated in this case, he has not committed any such offence. The charge-sheet has been filed and the trial Court has also recorded statement of witnesses, hence, there is no such situation present that this applicant may influence or threaten the witnesses, hence, looking to this development, it is prayed that he may be granted anticipatory bail.

5. Learned State counsel opposes the submissions and submits that in the very first anticipatory bail application, this Court had directed the applicant to surrender before the trial Court and apply for regular bail, which has not been complied, hence, for this reason alone, the applicant has no entitlement for grant of anticipatory bail.
6. It is further submitted that the charge-sheet has been filed in absconsion of this applicant in the statement that has been recorded by the trial Court is under Section 299 of Cr.P.C. in which the prosecutrix and other witnesses have clearly stated against this applicant, therefore, the applicant has no entitlement for grant of anticipatory bail.
7. Heard learned counsel for the parties and perused the case diary.
8. Considered on the submissions. After taking into consideration, the facts and circumstances and the evidence present in this case, I am of this view that this is not a fit case for grant of anticipatory bail.
9. Hence, the bail application filed under Section 438 of Cr.P.C. is rejected.
10. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge