

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 608 of 2021**

- Basant Kumar Dahare S/o Gubri Singh Dahre, aged about 45 years R/o Chidai Padar Khaspara, Tahsil & District Bastar, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh, Through : P. S. Bastar, District Bastar, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vikas A. Shrivastava, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08.06.2021**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 35/2021 registered at Police Station- Bastar, District Bastar (C.G.) for commission of the offence punishable under Sections 500 & 509(B) of the IPC.
2. As per the prosecution case, the prosecutrix lodged a written complaint to the P. S. Bastar alleging that her picture has gone viral by the present applicant through *Whatsapp*.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that the present applicant had lodged an FIR against the father of the complainant. Thus, only to take revenge of this she lodged false complaint against the present applicant. Furthermore, there is delay of 13 days in lodging the FIR. There is no previous antecedent against the present applicant, therefore, the present applicant may be granted anticipatory bail.
4. On the other hand, counsel for the State opposes the application for anticipatory bail.

5. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed.
6. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make himself available for interrogation before the concerned 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 or the case 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 him by the said Court till disposal of the trial.

**Sd/-
(Rajani Dubey)
Judge**

V/-