

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 660 of 2021**

- Satyendra Kumar Yadav S/o Bandhu Yadav Aged About 22 Years R/o Village Mahuli, Police Station Trikunda, District Balrampur Ramanujganj Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Police Station Trikunda, District Balrampur Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	: Mr. Varunendra Mishra, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****17.06.2021**

1. Proceeding through video conferencing.
2. Heard.
3. Admit.
4. 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. 55/2020 registered at Police Station- Trikunda, District Balrampur (C.G.) for commission of the offence punishable under Sections 376 & 506 of the IPC.
5. As per the prosecution case, the allegation against the present applicant is that he has committed forcible sexual intercourse with the prosecutrix while she was going for harvesting the crop.
6. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. Referring to Annexure A/2, counsel for the applicant would argue that she stated on her affidavit that no offence has been committed by the applicant, only on account of pressure of her husband, false FIR has been lodged. Furthermore, nothing has been stated against the applicant by the prosecutrix before the

trial Court, therefore, the present applicant may be granted anticipatory bail.

7. On the other hand, counsel for the State opposes the application for anticipatory bail.
8. 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.
9. 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/-