

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 674 of 2021**

- Navin Shriwas S/o Shri Manharan Lal Shriwas Aged About 19 Years R/o Village Rampur, Police Station Kartala, Tahsil And District Korba Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Kartala, District Korba Chhattisgarh

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate
For Respondent/State	: Shri B.P.Banjare, Dy.GA
For Respondent/Objector	: Shri Sumit Verma, Advocate

Hon'ble Smt. Justice Rajani Dubey**Order On Board By Virtual Hearing****21/06/2021**

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No. 32/2021 registered at Police Station Kartala, district Korba (CG) for the offence punishable under Sections 354 (D), 452 and 506 IPC and 8 of Protection of Children from Sexual Offences Act.

Case of the prosecution in brief is that report was lodged by the complainant alleging that since 4-5 months, the applicant who belongs to different caste is threatening her to perform marriage. It is alleged

that the prosecutrix is minor and the applicant is also aged about 19 years.

Contention of the counsel for the applicant is that the applicant has been falsely implicated in the present case. He submits that the applicant and the prosecutrix were having love affair and they used to chat in the whatsapp. He further submits that the applicant and the prosecutrix belong to different caste and therefore, a false case has been lodged against the applicant. Lastly, he submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore he may be granted bail.

On the other hand, learned counsel for the State as well as the objector opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegation against the applicant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. 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 on his executing a personal bond in sum of Rs. 25,000/- with one surety 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/ medical examination 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 of 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