

(Proceedings through video conferencing)

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.836 of 2021

- Raghvendra Kunjam, son of Shri Santu Ram Kunjam, aged about 34 years, resident of village Matiya (अ), P.S. Arjunda, District Balod (CG)

---- Applicant

Versus

- State of Chhattisgarh, through the Station House Officer, Police Station Arjunda, District Balod (CG)

---- Non-applicant

For Applicant	:	Mr. C.R. Sahu, Advocate
For Non-applicant	:	Mr. Srikant Kaushik, Panel Lawyer

Hon'ble Mr. Justice Parth Prateem Sahu

Order On Board

10/8/2021

1. This is an application under Section 438 of CrPC for grant of anticipatory bail to applicant as he apprehends his arrest in connection with Crime No.63/2021 registered at Police Station Arjunda, District Balod (CG) for commission of offence punishable under Sections 341, 354, 354 (d), 506 of IPC.
2. Case of the prosecution, in brief, is that that on 21.5.2021 at about 3:00 p.m. when the complainant along with her sister was going to her uncle's house, at that time present applicant obstructed her way, caught hold of her hands, touched her body with bad intention, stated to her that he loves her and wanted to marry her. Incident was narrated by the prosecutrix to her uncle, who, in turn, lodged complaint in the concerned police station based upon which instant crime is registered against present applicant.
3. Mr. C.R. Sahu, learned counsel for the applicant would submit that the complainant and present applicant are in love; father of complainant saw the complainant talking with present applicant; thereafter brothers of complainant assaulted present applicant as a result he suffered grievous injuries over his person. He further submits that incident of assault upon

present applicant was reported to the police by brother of present applicant on 21.5.2021 and FIR at the instance of applicant's brother is registered prior to registration of instant crime. In order to escape from FIR/crime registered against brothers of complainant, instant crime is got registered subsequently by levelling false allegations. Hence, present applicant may be granted anticipatory bail.

4. Mr. Srikant Kaushik, learned Panel Lawyer for the State opposes the submissions made by learned counsel for applicants and read out contents of FIR and statement of complainant recorded under Section 164 of CrPC in support of his contention.
5. I have heard learned counsel for the parties.
6. Taking into consideration the facts and circumstances of case and nature of allegations levelled against present applicant, I am not inclined to extend benefit of anticipatory bail to present applicant. Accordingly, this anticipatory bail application of present applicant is hereby rejected.

Sd/-
(Parth Prateem Sahu)
Judge

roshan/-