

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1404 of 2020

Mangal Singh Son of Late Gurubaksha Singh Aged About 39 Years R/o. Bajrangpara, Kohka, Bhilai, District Durg (Chhattisgarh), District : Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Chowki Smriti Nagar, Police Station Supela, District Durg (Chhattisgarh), District : Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Jitendra Gupta, Advocate
For State	:	Shri Anurag Verma, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

26/02/2021

Heard.

1. The applicant has filed this application for grant of anticipatory bail under Section 438 Cr.P.C. as he is apprehending his arrest in connection with Crime No. 476/2020, registered in Police Chowki- Smriti Nagar, Police Station -Supela, District- Durg (C.G.) for the offence punishable under Sections 354, 294, 506 IPC and Section 8 of the Protection of Children for Sexual Offences Act.
2. Case of the prosecution, in brief, is that the applicant outraged the modesty of the minor girl by catching hold of her hands and dragging her inside the car.
3. Learned counsel for the applicant would argue that the applicant has been falsely implicated by the prosecutrix at the instance of her mother. He

submits that the applicant is the tenant in the house of mother of the prosecutrix and there exists a dispute with regard to non-payment of rent and non-repayment of loan of Rs.30,000/- taken by the present applicant. It is because of this dispute that the applicant is now being falsely implicated by the minor girl, whereas the applicant never did any such criminal overt act. Therefore, it is prayed, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposed the application by submitting that the prosecutrix, aged about 16 years, has clearly stated in her statement and report that on road, the applicant intercepted and threatened her because loan re-payment was being insisted by her mother and then he caught hold of her and dragged her inside the car and the prosecutrix somehow rescued herself.
5. Taking into consideration the submissions made by learned counsel for the respective parties, particularly taking into consideration what has been stated by the prosecutrix, it is not a fit case for grant of anticipatory bail to the applicant.
6. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge