

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1518 of 2020**

- Sushil Kumar Bariha, S/o Shri Madan Bariha, Aged About 29 Years R/o Village Raksa, District Mahasamund Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh, Through - The Station House Officer, Police Station Police Fingeshwar, District Gariyaband Chhattisgarh

---- Respondent

For Applicant	:	Shri Pushpendra Kumar Patel, Advocate
For State	:	Shri Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****19/03/2021**

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.168/2020 registered at Police Station – Fingeshwar, District – Gariyaband (CG) for alleged commission of offences under Section 354 and 457 of IPC.
2. Prosecution case is that the applicant entered the house of the prosecutrix at about 12:30 in the night and attempted to outrage her modesty.
3. Learned counsel for the applicant would submit that allegation of the prosecutrix are exaggerated because the applicant actually did not enter the house of the prosecutrix but only phoned her up to know the whereabouts of her husband and well being, he being a neighbour and resident of the same campus of police quarters. It is submitted that FIR was lodged after seven days which itself shows that it is a case of false implication on trivial incident making false story.
4. On the other hand, learned State counsel opposes prayer and submits that the case diary shows that the incident was immediately informed by the prosecutrix when

her husband was in patrolling duty. Then he informed his colleague Ranbir Singh and he immediately reached the house of the prosecutrix and she narrated the same story as stated in the FIR.

5. Taking into consideration the nature of allegations against the applicant, I am not inclined to grant anticipatory bail to the applicant. The application is, accordingly, rejected.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge