

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1570 of 2020**

- Arun Minz, aged about 45 years, S/o Shri Sukhdeo Das Minz by occupation Patrakar, R/o village Keshavnagar, Police Station Bishrampur, Tahsil & District Surajpur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Police Station Incharge, Bishrampur, District Surajpur (C.G.)

---- Respondent

For Applicant	:	Mr. Suresh Kumar Pandey, Advocate.
For Respondent.	:	Ms. Ishwari Gritlahre, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01/04/2021**

1. 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.171/2020 registered at Police Station - Bishrampur, District Surajpur (C.G.) for commission of the offence punishable under Sections 452, 354 and 506 of Indian Penal Code.
2. The prosecution story, according to the FIR, is that on 08.09.2020 when the complainant was all alone in her house, at about 5.00 pm, she saw the applicant coming from the house of Monika Tirkey. Seeing him, the complainant was going inside of her house, then the applicant followed her, pushed the door forcefully, entered her house and caught hold of her hands and breast. When she screamed loudly, her

neighbours came there, seeing them the applicant ran away from the spot threatening her that he will implicate her in SC/ST Act.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is a Reporter and he had exposed the illegal acts of many persons including Pappu Singh Baghel, husband of complainant, therefore, a false report has been lodged by the complainant. He also submits that the incident is alleged to have taken place on 08.09.2020 but the report was lodged after three days of the incident. If such a incident had taken place, then the report should have been lodged on the same day.
4. Counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, further considering the nature of allegation against the applicant, without commenting anything on merit of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the application is allowed. 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/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