

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1676 of 2020**

- Ramprakash @ Dilip Sonwani S/o Shri Sagram Sonwani, Aged About 46 Years, R/o Village Siltara, Police Station Lormi, Tahsil Lormi, And District Mungeli, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Acting Through Officer In-Charge Police Station Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Mr. K. A. Ansari, Senior counsel with Mr. Aman Ansari, Adv.
For Respondent/State	: Mr. Udhav Sharma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****09/04/2021**

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. 398/2020 registered at Police Station- Lormi, District- Mungeli (C.G.) for commission of the offence punishable under Sections 343, 354(a), 365 and 506 of IPC.
2. Prosecution case is that in the night of Rakhi festival, co-accused Sunil Sonwani approached the prosecutrix stating that her husband had met with an accident and on this fake information, he took the prosecutrix away with him and thereafter, she was taken to Mungeli and therefore, an attempt was made to outrage her modesty and she was kept in wrongful confinement for 4-5 days. It is further alleged that when the applicant reached the house, the prosecutrix told him about the incident on which applicant scolded to the co-accused. Thereafter, she came back to her matrimonial house and then informed her husband regarding the whole incident. Finally, a report was lodged in the police station on 14.07.2020 by the

prosecutrix against the applicant and co-accused Sunil Sonwani.

3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that there is no role of the applicant in the case and the main accused of this case is Sunil Sonwani. He next submits that co-accused Sunil Sonwani has already been granted anticipatory bail in MCRCA No. 1046/2020 by the Hon'ble Court, therefore, the present applicant may be granted anticipatory bail.
4. On the other hand, 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, in particular the co-accused/main accused has already been granted anticipatory bail, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. 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 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 or 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