

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1745 of 2020**

1. Malikram Gond, S/o late Guha Ram, aged about 70 years,
2. Lakhan Singh Gond, S/o Shri Upas Ram Gond, aged about 57 years,

Both are resident of Village Basin, Police Station Nagarda, District Janjgir Champa (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through the Station House Officer, Police Station Nagarda, District Janjgir Champa (CG)

---- Non-Applicant

For Applicant : Shri Jeet Patel, Advocate.
For Non-Applicant : Shri Ashutosh Mishra, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****04/03/2021 :**

1. The applicants have preferred this application for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.111/2020, registered at Police Station Nagarda, District Janjgir Champa for offence punishable under Section 294, 323, 506 and 354/34 of the IPC.
2. Applicant No.1 Malikram Gond has filthily abused, assaulted, filthily intimidated and outraged the modesty of the prosecutrix aged about 52 years when she was sitting in front of her house at about 7.15 pm on 1.10.2020. Applicant No.2 Lakhan Singh Gond reached the place immediately thereafter and he too abused the prosecutrix.
3. In course of investigation, the torn blouse of the prosecutrix has been

recovered by the Investigating Officer.

4. Considering the nature of allegation and the evidence, I am not inclined to release the Applicant No.1 – Malikram Gond on anticipatory bail. Accordingly, the Application in respect of Applicant No.1 – Malikram Gond is rejected. However, if he surrenders and applies for regular bail, the concerned Sessions Court shall consider and decide his application expeditiously, preferably on the same day.
5. However, there being no allegation against the Applicant No.2 - Lakhan Singh Gond at the stage when the prosecutrix was subjected to molestation, I am inclined to release him on anticipatory bail.
6. Accordingly, the Application in respect of Applicant No.2 – **Lakhan Singh Gond** is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) he shall not influence the witnesses during trial.
 - (ii) he shall make himself available for interrogation by a police officer as and when required;
 - (iii) he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve