

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURCRA No.1349 of 2021

1. Jitendra Kumar Sahu S/o Dhanesh Sahu Aged About 40 Years
R/o Village - Arjuni, Thana-Dongargaon, District - Rajnandgaon
Chhattisgarh.
2. Shiv Kumar Sahu S/o Nandu Ram Sahu Aged About 37 Years
R/o Village - Salikjhitiya, Thana - Dongargaon, District -
Rajnandgaon Chhattisgarh.

---- Appellants

Versus

1. State Of Chhattisgarh Through Thana-Dongargaon, District
Rajnandgaon Chhattisgarh.

---- Respondent

For Appellants	Mr. Samir Singh, Advocate
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For Respondent /State	Mr. Sanjay Pathak, Panel Lawyer
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Prosecutrix is also present through Video
Conferencing from DLSA, Rajnandgaon.

Order on BoardByHon'ble Shri Justice Goutam Bhaduri7/12/2021

1. The present appeal is arising out of order dated 25-10-2021
passed by the Special Judge (Atrocities), District Rajnandgaon,
in BP No.53/2021.
2. The appellants have preferred this appeal under Section 14A(2)
of the Scheduled Castes and the Scheduled Tribes (Prevention

of Atrocities) Act, 1989 (for short 'the Act, 1989') for grant of anticipatory bail under Section 438 of the Cr.P.C. as they apprehend their arrest in connection with Crime No.208/2021, registered at Police Station Dongargaon, District Rajnandgaon (CG), for offence punishable under Sections 294, 354, 354(D)/34 of the Indian Penal Code and under Section 3(2)(va) of the Act, 1989.

3. As per the prosecution case when on 29-6-2021 at 5.30 pm the prosecutrix was returning from the agricultural fields both the appellants caught the prosecutrix; tried to outrage her modesty; and abused.
4. Learned counsel for the appellants would submit that it a counter blast to the report lodged by the appellants against the family members of the prosecutrix whereby the family members of the appellants were assaulted and therefore, in order to dilute the effect the false report has been made.
5. Learned counsel for the State as well as the prosecutrix, who appears through video conferencing from DLSA, Rajnandgaon, *per contra*, would oppose the prayer for grant of bail.
6. Considering the entire facts situation of the case and particularly considering the statements under Section 161 of Cr.P.C., I am of the opinion that present is not a fit case to release the appellants on anticipatory bail.
7. In the result, the appeal, *sans* merit, is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Gowri