

Misc. Criminal Case No. 16696 / 2013

26-12-2013

Shri Ravi Vyas, counsel for the applicant.

Shri Amit Pandey, panel lawyer for the State/respondent.

The panel lawyer submits that he is under receipt of the case diary.

Heard on I.A.No. 28190/2013, applicant's application for early hearing. For the reasons stated therein the same is allowed and in view of the availability of the case diary, the case is taken up for final hearing.

Heard.

The applicant has filed this application under Section 438 of Cr.P.C. for grant of anticipatory bail to the applicant as he is under apprehension of his arrest in connection with Crime No. 225/2013 registered against him and one other co-accused at P.S. Chachai, District Anuppur for the offences under Sections 354, 294 and 506-B of the Indian Penal Code.

Having heard the counsel for the applicant and that of the State and keeping in view the arguments, I have also gone through the case diary and after perusing the awarements of the F.I.R., so also the interrogatory statement of the prosecutrix, aged 13 years, so also the interrogatory statements of the other witnesses including the witnesses of the parental family of the

prosecutrix, I find that sufficient evidence has been collected by the investigating agency from which prima facie circumstance for committing the alleged offence by the applicant alongwith the co-accused has been established, although the matter is under investigation, and in such circumstances, the custody of the applicant/accused is necessary in the impugned case.

In such premises, without expressing any opinion on the merits of the matter, I find no material circumstance to extend the benefit of anticipatory bail to the applicant. Consequently, the application, being devoid of any merits, is hereby dismissed.

(U.C.Maheshwari)
V. Judge

mct

