

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 541 of 2015

1. Kasturi Gupta W/o Kailash Prasad Gupta Aged About 55 years R/o Bazar Para, Baikunthpur, Civil & Revenue District Korea, Chhattisgarh
2. Lata Gupta D/o Kailash Prasad Aged About 35 Years R/o Bazar Para, Baikunthpur, Civil & Revenue District Korea, District Korea Chhattisgarh
3. Deepika Gupta W/o Shital Prasad Aged About 30 Years R/o Bazar Para, Baikunthpur, Civil & Revenue District Korea, District Korea Chhattisgarh
4. Pooja Agrahari D/o Kailash Prasad Aged About 26 Years R/o Bazar Para, Baikunthpur, Civil & Revenue District Korea, District Korea Chhattisgarh

---- Applicant/s

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station - Baikunthpur, District Baikunthpur, Distt.- Korea, CG

---- Respondents

For Applicant/s	:	Shri Anil Gulati, Advocate.
For Respondent/State	:	Shri Vinod Tekam, Panel Lawyer

Order On Board

13/07/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No.122/15 registered at police station – Baikunthpur, Distt.-Korea, CG for alleged commission of offence under Sections 147, 323, 186, 353, 332 of IPC.

2. Prosecution case is that during the course of search, under a search warrant in the house of the applicants, the applicants resisted the police officials from performing their duties by using criminal force and assault.

3. Learned counsel for the applicant submits that the applicants are lady members of the family. Though when search was made, some displeasure might have been expressed, allegation of resisting police officers or using criminal force is highly exaggerated. He submits that along with the applicants, three male members are also made accused who have already been granted regular bail. He submits that

the applicants are not likely to abscond or interfere with the investigation and their custodial interrogation is not necessary.

4. On the other hand, learned State counsel submits that as per the FIR, the applicants are also involved in offering resistance and assaulting police officials to desist them from performing official duties.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the applicants are lady members of the family and that no noticeable injury is stated to have been caused on lady constables and that the incident also involves three other male members of the family who have already been granted regular bail, I am inclined to grant anticipatory bail to the applicants.

6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail on each of them furnishing a personal bond in the sum of Rs.20,000/- along with two local sureties for the like amount to the satisfaction of the arresting officer and the applicants shall abide by all the following terms and conditions -

- (i) that the applicants shall make themselves available for interrogation by a Police Officer as and when required;
- (ii) that they 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 them from disclosing such facts to the Court or to any Police Officer.
- (iii) that they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
Manindra Mohan Shrivastava
Judge