

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1243 of 2015

1. Praveen Kumar, S/o. Ram Kishun, aged about 47 years, Caste-Jatav, Occupation-Service (Senior Manager Civil S.E.C.L. Vishrampur), R/o. Vishrampur, Police Station-Vishrampur, Tahsil and District – Surajpur, Civil and Revenue District – Surajpur (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, P.S. - Vishrampur, Tahsil and District – Surajpur (C.G.)

---- Respondent

For Applicant : Mr. A.K. Prasad, Advocate

For Respondent/State : Mr. Anant Bajpai, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/12/2015

1. Apprehending arrest in connection with Crime No.100/2015 registered at Police Station- Vishrampur, District – Surajpur (C.G.), for offence punishable under Section 420, 406, 506B, 394 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a complaint case was filed by Mangla Yadav, who was INTUC Mahamantri alleging that the applicant has obtained Rs.2,000/- each from 17 contractors for giving donation to National Conference of INTUC which was to be scheduled in the month of September at Raipur. It is further alleged that though the amount was collected from the contractors in the name of the complainant, but the same was not given to the complainant. Initially on report to police, the cognizance was not taken,

subsequently complaint was filed and after order of the CJM, FIR was directed to be registered.

3. Learned counsel for the applicant would submit that the applicant is the Senior Manager in S.E.C.L. and earlier to this incident, he had lodged the FIR against the complainant since forceful demand of Rs.35,000/- was made from him for donation for INTUC. He relied on the FIR filed as Annexure A/1 and would submit that as a result of counter blast to it, this false report has been made. He would further submit that applicant is also suffering from various diseases including the severe eyesight weakness and he relied on the documents of the medical papers and prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the bail application.
5. I have perused the case diary and the statement of the witnesses. Taking into the nature of the allegation and the litigation between the parties and taking into the fact that earlier to that a report was also made by the applicant against complainant and the applicant, who is Senior Manager of SECL, considering the issue as appears since registration of FIR is on complaint case, no custodial interrogation may be required in this case, therefore, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer/Magistrate. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the 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 of the case so 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram