

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 1022 of 2015

Virendra Kumar Verma, so of Shivrath Verma, aged about 27 years,
resident of village Sel, Police Station and Tahsil Kasdol, Civil and
Revenue District Baloda Bazar, Bhatapara (C.G) --- **Applicant**

Versus

State of Chhattisgarh through Station House Officer, Police Station
Kasdol, District Baloda Bazar, Bhatapara (C.G.) --- **Respondent**

For the applicant : Mr. Dharmesh Shrivastava, Advocate

For the Respondent : Mr. S.R.J. Jaiswal, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.10.2015

1. Apprehending arrest in connection with Crime No.368/2015 registered at Police Station Kasdol, District Baloda Bazar-Bhatapara (C.G) for the offences punishable under Sections 147, 149, 186, 341, 435, 332, 427 read with Section 34 of IPC, the applicant has filed this application under Section 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, on 29.08.2015 due to a road accident by a Truck, a person has died on the spot and large number of people crowded there, put barricades and tried to burn the vehicle. Having received the information, the police rushed to the spot and tried to disburse the mob to pave the way for free flow of traffic. The mob entered into conflict with the police party. On resistance made by the police, they pelted stones and ultimately the Truck was put to fire.
3. Learned counsel for the applicant submits that that the incident took place on account of hot talk between the police party and other local public and in such conflict, some of the villagers misbehaved with the police party. He further submits that the applicant has gone to the place of incident to express his sympathy and condolence to the family members of the deceased and has not participated in the violence, however, he has wrongly been inculpated by the Police. He further submits that except sections 435 & 332, other sections are bailable and taking into account the background of the entire case,

the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Taking into totality of the facts and circumstances and the back ground of the entire case, I am of the opinion that it is a fit case to enlarge the applicant on anticipatory bail.
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 officer arresting him or the concerned Investigating Officer. 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 any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) 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.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE