

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1 of 2016

1. Pramod Sahu, S/o. Bedram Sahu, aged about 45 years, R/o. Village-Rambod, Tahsil and Police Station Patharia, District Mungeli (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Station House Officer, Police Station - Patharia, Civil and Revenue District – Bilaspur (C.G.)

---- Respondent

For Applicant : Mr. V.K. Tonde, Advocate

For Respondent/State : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

08/02/2016

1. Apprehending arrest in connection with Crime No.26/2015 registered at Police Station- Patharia, Civil & Revenue District – Mungeli (C.G.), for offence punishable under Section 294, 506, 323, 452, 147, 149 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicant along other person entered into the house of one Chelaram Vishwakarma and assaulted three persons by hands and fists.
3. Learned counsel for the applicant would submit that assailants have lodged the report as a counter blast because the applicants were assaulted by the complainant on 13.02.2015 in respect of which a report was lodged on that day itself and a crime under Crime No.25/2015 was registered in the police station and on the next day in the evening, the complainant have lodged report against the applicant and other persons, falsely implicating them in the accident. He would further submit that similarly placed co-

accused persons have been enlarged on anticipatory bail by the Coordinate Bench of this Court in M.Cr.C.(A) No.321/2015 vide order dated 25.06.2015, therefore, the counsel prays that the applicant may also be extended the benefit of anticipatory bail.

4. On the other hand, learned State counsel opposes the bail application, however, after verification do not dispute the fact that similarly placed co-accused persons have been enlarged on anticipatory bail by the Coordinate Bench of this Court.
5. Taking into the fact that similarly placed co-accused in this case has been enlarged on anticipatory bail by the Coordinate Bench of this Court in M.Cr.C.(A) No.321/2015 vide order dated 25.06.2015 this Court is inclined to extend the benefit of anticipatory bail to the applicant, as no custodial interrogation may be required in this case.
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. 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