

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 59 of 2016

- Suresh Dwivedi S/o K. P. Dwivedi Aged About 42 Years By Post - Treasurer - Block Congress Committee, Trader - Property Dealers, R/o Ward No. 26, Club-para, Mahasamund, P.S. - City - Kotwali, Tahsil - And Revenue Distt. & Distt. Mahasamund Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through P.S. - City - Kotwali - Mahasamund, Revenue Distt. & Distt. Mahasamund Chhattisgarh --- **Respondent**

For the applicant	:	Mr. J.A. Lohani, Advocate.
For the Respondent	:	Mr. Sumeet Jhawar, Panel Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.02.2016

1. Apprehending arrest in connection with Crime No. 14 of 2016 of registered at Police Station City Kotwali, Mahasamund, District Mahasamund (C.G) for the offences punishable under Section 294, 506, 452, 427 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a complaint was lodged by one Rajesh Kumar Sharma who is the Editor and Publisher of weekly newspaper "Rashtriya Abhiyojak" that the applicant who is treasurer of Block Congress Committee on 05.01.2016 at about 2.15 p.m., forcibly entered into office and objected to some news item published about the incident of fire which happened in Preetam Pride Complex at Mahasamund and thereafter threatened and abused and also damaged the computer system i.e., CPU, CD, Monitor etc.
3. Learned counsel for the applicant submits that the since the advertisements were not supplied to the said Newspaper the complainant became annoyed and false allegations have been

attributed against this applicant, therefore, he has been falsely implicated in this case. He further submits that the applicant has no grudge against the publication of report about the incident of fire took place in the complex of Preetam Pride which belongs to Amarjit Singh Chawla and the applicant has nothing to do with said incident and Amarjit Singh was the President of State Congress, therefore, no nexus is established for the motive.

4. Per contra, learned State Counsel opposes the bail application.
 5. Perused the case diary as also the report and statements of Rajesh Kumar Sahu and Kumari Yadav wherein direct allegations have been attributed against this applicant.
 6. Taking into such statements and report, I am not inclined to extend the benefit of provisions of section 438 Cr.P.C., to the applicant.
- Accordingly, the application is rejected.

Sd/-
GOUTAM BHADURI
JUDGE