

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 184 /2016

1. Sonu Rathore, S/o. Devnarayan, Aged About 27 Years, Caste Rathore,
2. Ravi, S/o. Shivnarayan, Aged About 27 Years, Caste Rathore,
3. Abhay Singh, S/o. Bisahu Singh, Aged About 30 Years, Caste Rathore,
4. Bunty Pandey, S/o. Bhupendra Pandey, Aged About 25 Years, Caste Brahmin,

All are R/o. Saragaon, P.S. Saragaon, District Janjgir-Champa (C.G.).

---- Applicants

Versus

State Of Chhattisgarh, Through District Magistrate, District Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants : Mr. V.C.Ottalwar with Mr. Ishwar Jaiswal, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14/03/2016

1. Apprehending arrest in connection with Crime No.352/2015 registered at Police Station- Baradwar, District Janjgir-Champa (C.G.) for the offence punishable under Section 353, 186, 332, 147, 148 of Indian Penal Code, the applicants have preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, death of one Ramnivas Chandan took place on 10.11.2015, at that time, applicants reached there and caused blockage of the road. Subsequently, when police came there, they agitated and demanded compensation of Rs.50 Lakhs for the deceased. Subsequently, the matter flared up and enticed the mob and the other villagers attacked the police who went to the spot.

3. Learned counsel for the applicants submits that the similarly placed co-accused have been enlarged on bail in M.Cr.C.(A) No.1360 of 2015 on 03.02.2016 and the case of the present applicants is similar to that of the other co-accused who have been granted anticipatory bail, therefore, the applicants may also be enlarged on anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of bail, however, he do not opposes the fact that the similarly placed co-accused have been enlarged on anticipatory bail.
5. Perused the case diary. After perusal of the case diary and the role played by these applicants and taking into fact that the similarly placed co-accused have been enlarged on anticipatory bail, I am inclined to enlarge the present applicants on anticipatory bail.
6. Accordingly, the anticipatory bail application is allowed.
7. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on furnishing a personal bond to a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

- (iv) that the applicants 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/-
(Goutam Bhaduri)
Judge

Ashok