

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 735 of 2016

1. Swarup Ranjan Sharaf, S/o. Dhananjay Sharaf, aged about 33 years, Caste-Sonar, Occupation- Business, R/o. Sonaripara, Sundergarh, Tahsil Police Station and District – Sundergarh (Odisha)

----Applicant

Versus

1. The State of Chhattisgarh, through Station House Officer, Police Station - Narayanpur, District – Jashpur (C.G.)

---- Respondent

For Applicant	: Mr. J.K. Saxena, Advocate
For Respondent/State	: Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11/08/2016

1. Apprehending arrest in connection with Crime No.115/2015 registered at Police Station – Narayanpur, District – Jashpur (C.G.), for offence punishable under Section 120-B, 386, 507, 467, 471, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that a complaint was made by Tejnath Nayak that a phone call was received in the mobile of his son namely Manoj from the mobile No.07787952118 and 07787951947 on 19.10.2015 and 20.10.2015 and a demand of Rs.3.00 lakhs was made and the call on being traced it was found that the said SIM were purchased from the shop of the present applicant, who is the distributor.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he is only distributor and on the basis of documents, which was supplied by the purchaser, the SIM are being issued. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case, and taking into the allegation levelled against the applicant, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicant as it can not be stated that custodial interrogation of the applicant may not be required. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge