

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1196 of 2015

1. Manoj Tiwari, S/o. Nandlal Tiwari, aged about 28 years, R/o. Daaihanpara Sarkanda, P.S. Sarkanda, Tahsil and District – Bilaspur (C.G.)
2. Dushyant Tiwari, S/o. Bahoran Lal Tiwari, aged about 27 years, R/o. Kapil Nagar, Sarkanda, P.S. Sarkanda, Tahsil and District – Bilaspur (C.G.)

----Applicants

Versus

1. State of Chhattisgarh, Through : Police Station - Sarkanda, District – Bilaspur (C.G.)

---- Respondent

For Applicants : Mr. Amit Kumar, Advocate

For Respondent/State : Mr. Ashutosh Pandey, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/01/2016

1. Apprehending arrest in connection with Crime No.510/2015 registered at Police Station- Sarkanda, District – Bilaspur (C.G.), for offence punishable under Section 384 of I.P.C. and Section 3, 4 of Karja Act, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a report was made by the complainant that he received Rs.25,000/- - Rs.25,000/- each from the applicants and thereafter, he paid an amount of Rs.1,70,000/- as an interest but he has been pressurized for further amount due to which the complainant tried to commit suicide.
3. Learned counsel for the applicants would submit that they have been falsely implicated in this case and infact the complainant requested for loan amount but it was refused as against this he tried to commit suicide. He would further submit that the

complainant has filed an affidavit before the Court below stating that his business was going down, therefore, the false report is made, therefore, the counsel prays that the applicants may be extended the benefit of anticipatory bail.

4. State was directed to verify the affidavit, which is placed on record, wherein it is stated that the complainant do not want any action against the applicants and prayed for no objection of the bail, which was directed to be verified. The State counsel submits that report has come from the concerned police station that the complainant do not want any action against this applicants.
5. I have perused the report. Taking into the facts and circumstances of the case no custodial interrogation may be required in this case, therefore, this Court is inclined to extend the benefit of anticipatory bail to the applicants.
6. Accordingly, the anticipatory bail application is allowed and 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 executing a personal bond in 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

Balram