

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1286 of 2015

1. Satyanarayan, S/o. Geeta Prasad, aged about 26 years, Caste-Teli, Occupation-Agriculture, R/o. Village-Madneshwarpur, Police Station and Tahsil-Ramanujnagar, District – Surajpur, Civil and Revenue District – Surajpur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : S.H.O., Police Station - Ramanujnagar, District – Surajpur (C.G.)

---- Respondent

For Applicant : Mr. A.K. Prasad, Advocate

For Respondent/State : Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/01/2016

1. Apprehending arrest in connection with Crime No.120/2015 registered at Police Station- Ramanujnagar, District – Surajpur (C.G.), for offence punishable under Section 363, 366, 368 & 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, that on 30.05.2015, the prosecutrix has been abducted, who was minor by co-accused Fotku @ Shivprasad Sahu for which a report was made by the family members of the girl that Fotku @ Shivprasad Sahu has eloped with the girl and it is allegation against the present applicant that he has helped Shivprasad to fled away.
3. Learned counsel for the applicant would submit that he has been falsely implicated in this case. He would further submit that only allegation against this applicant is that he had only paid Rs.5000/- to the other co-accused, Fotku @ Shivprasad Sahu, being his

brother, therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. On the other hand, learned State counsel opposes the bail application.
5. I have perused case diary and the statement of Chhotelal and Umesh, wherein it is stated that the applicant has paid only Rs.5,000/- to the other co-accused. Taking into such evidence against this applicant and 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 applicant.
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

Balram