

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 121 of 2016

Sunil Kumar Rathore, S/o. Ramkumar Rathore, Aged about 30 years, R/o. Gram Saragao, Police Station- Saragaon, Tahsil- Champa, District Janjgir Champa (C.G.)

---- Applicant

Versus

State of Chhattisgarh Through The District Magistrate, Through Police Station Baradwar, District Janjgir Champa (C.G.)

---- Respondent

For Applicant	:-	Mr. Mateen Siddiqui, Advocate
For Respondent/ State	:-	Mr. Sangharsh Pandey, Dy. G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22/02/2016

1. Apprehending arrest in connection with the 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 applicant has filed this application under Section 438 of Cr.P.C. for grant of anticipatory bail.

2. Case of the prosecution, in brief, is that the death of one Ramnivas Chandan took place on 10.11.2015, at that time applicant reached there and caused blockage of the road. Subsequently, when police came there, he agitated and demanded compensation of RS. 50 lakhs for the deceased. Subsequently, the matter flared up and enticed the mob and the other villages attacked the police who went to the spot.

3. Counsel for the applicant submits that the applicant is in the employment and considering the gravity of the charge sheet and the charge sheet filed, no further custodial interrogation may be required. He further submits that the other co-accused persons namely Bhupendra Rathore and Kushal Rathore have already been granted bail by this High Court in M.Cr.C. A No. 1360 of 2015 and in M.Cr.C. A No. 1361 of 2015 on 03.02.2016 and the present applicant may also be entitled for bail on the ground of parity.

4. Per contra State counsel opposes the prayer for grant of bail and do not dispute the fact and submits that the other co-accused persons have granted bail by this Court.

5. Taking such fact that the similarly placed co-accused persons have already been enlarged on bail by this court in M. Cr.C. A. No 1360 of 2015 and in M.Cr.C. A 1361 of 2015 on 03.02.2016, this Court is of the opinion that the present is the fit case, the applicant should be enlarged on anticipatory bail.

5. 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 them on executing a personal bond in sum of Rs.25,000/- with one local 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 them 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) 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.

Sd/-

(Goutam Bhaduri)

JUDGE

santosh