

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 451 of 2016

Ankur Verma S/o Jitendra Verma Aged About 29 Years R/o - Ward
No. 6, Pallari, Tahsil - Pallari, District - Baloda - Bazar - Bhatapara
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : S. H. O. - Pallari District - Baloda -
Bazar - Bhatapara Chhattisgarh

---- Respondent

For applicant – Shri Hemant Gupta, Advocate.
For Respondent/State –Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

12/05/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 109/2016 registered at Police Station Pallari for offence punishable under Sections 294, 506, 336, 427 of IPC & Section 3 of Damage of Public Properties Act.
2. As per the prosecution case in the intervening night of 25-26/03/2016 dispute arose on demand of liquor. Thereafter, the applicant entered into dispute with few persons. Consequently, it resulted into brakage of cable wire of pump of Nagar Panchayat Pallari.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in the case because of the fact that there has been scuffle took place between the employees of the liquor shop and in such scuffle wire of the pump got damaged, therefore direct allegation cannot be attributed to this applicant as during scuffle it happened. Therefore, the applicant may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. I have perused the case diary and the statement. Considering the nature of allegations, I am inclined to extend 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 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 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) 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