

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 576 of 2016

1. Rajendra Yadu, aged 45 years, S/o. Vijay Yadu, Occupation-Agriculture, R/o. Village-Bortara, P.S. - Saja, District-Bemetara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, through : the Police Station -Saja, District – Bemetara (C.G.)

---- Respondent

For Applicant : Mr. Somnath Verma, Advocate

For Respondent/State : Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

02/08/2016

1. Apprehending arrest in connection with Crime No.154/2016 registered at Police Station - Saja, District – Bemetara (C.G.), for offence punishable under Section 294, 323, 186, 353 and 332 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, on 22.05.2016, when the complainant, Ghanshyam Verma was discharging his duties at that time, the applicant along with other co-accused went there and abused and assaulted and further one of the co-accused put off the light of the control room, whereby the entire electricity supply was stopped.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and in fact in the village of the applicant, the electricity was not available for three days and when the

applicant went many a times for repairing at that time, he saw the complainant were consuming liquor, which resulted into dispute, therefore, prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel as well as counsel for the objector opposes the prayer for grant of bail.
5. Perused the case diary and the statements. Perusal of the statement of Ghanshyam Verma and Bhupendra Yadav, wherein it is stated that the applicant also closed the switch of the electricity supply, wherein the supply of the electricity is closed. Considering the fact and circumstances of the case it can not be stated that custodial interrogation of the applicant may not be required and it is not a case, where the provisions of Section 438 of Cr.P.C. can be extended. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge