

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 641 of 2016

1. Abhishek Upadhyay, S/o. Akhilesh Chandra Upadhyay, aged about 22 years, R/o. Village – 21, Deendayal Housing Colony, Rampur, Korba, Tahsil and District – Korba (C.G.)
2. L. Shubham, S/o. L. Paparao, aged about 19 years, R/o. LIG-1-2992, Housing Board, I-E, Bhilai, District – Durg (C.G.)
3. Ranjit Sahu, S/o. Ram Sajeevan Sahu, aged about 21 years, R/o. Village- Mohtarai, P.S. - Ratanpur, Tahsil and District – Bilaspur (C.G.)

----Applicants

Versus

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

---- Respondent

For Applicants	: Mr. Barun Chakrabarty, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/08/2016

1. Apprehending arrest in connection with Crime No.76/2016 registered at Police Station- Koni, District – Bilaspur (C.G.), for offence punishable under Section 4 of the Chhattisgarh Shaikshanik Sansthanon Me Prataadana (Ragging) Ka Pratishedh Adhiniyam, 2001, the applicants have preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a report was made by the Mayank Sahu, who is the student of Engineering Class-II was abused and assaulted by the applicants and thereby the applicants have committed ragging of the student and the complainant was physically manhandled. Thereby the offence has been committed.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and they are the students, they have not ragged the complainant and there has been some dispute between the students and the applicants and both of them have compromised the issue, therefore, taking into the future of the applicants, as their future may completely ruined, they may be may be extended the benefit of anticipatory bail.
4. Learned State counsel opposes the bail application.
5. Perused the case diary and the documents. Considering the fact and the nature of dispute and the fact that the applicants are the students and no past antecedents were recorded. Taking into such fact and the totality of this case, this Court is inclined to extend the benefit of anticipatory bail to the applicants, as no custodial interrogation may be required in this case.
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 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