

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 661 of 2016

- Manoj Kumar Verma S/o R.P. Verma Aged About 47 Years R/o Shriram Park, Residential Colony, Raipur, District Raipur Chhattisgarh --- **Petitioner**

Versus

- State of Chhattisgarh Through : Station House Officer, Police Station D. D. Nagar, Raipur Chhattisgarh --- **Respondent**

For the applicant	:	Mr. T. K. Tiwari, Advocate.
For the Respondent	:	Mr. Arvind Shukla, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

10.08.2016

1. Apprehending arrest in connection with Crime No..142 of 2016 registered at Police Station D.D. Nagar, Raipur (C.G) for the offences punishable under sections 294, 353, 332, 186 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, on 10.06.2016 one Dilip Kumar Sahu who is a Sanitary Inspector of the Municipal Corporation has made a report that while he was making inspection at Shriram Park, the garbage was thrown into service road which was objected and at that time the applicant alongwith others came there and assaulted and abused the complainant Dilip Kumar Sahu, thereby the offence is committed.
3. Learned counsel for the applicant submits that in fact while the garbage was being collected in the colony by the private sweepers and few of the sweepers of Municipal Corporation entered into the colony and demanded money which was refused by the Colony members and the applicant being the

President of the Colony intervened and therefore false report has been made. He therefore prays for admitting the applicant to anticipatory bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the report and case diary.
6. Taking into fact that report and counter reports were filed by both the parties against each other and further considering the totality of such facts and circumstances, I am inclined to admit the applicant to anticipatory bail.
7. Accordingly, the 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 his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer.

The applicant shall also abide by the following conditions :-

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that he 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 any police officer;
- (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

