

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C.(A) No.898 of 2017

Devraj Sahu S/o Shri Human Lal Sahu, aged about 28 years, R/o Village Devbalod, P.S.Purani Bhilai, District Durg (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through Station House Officer, Police Station Purani Bhilai, District Durg (C.G.).

---Respondent

For applicant	:	Ms.Kiran Singh, Advocate
For respondent/State	:	Shri Gary Mukhopadhyay, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

29/11/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.212 of 2016 registered at Purani Bhilai, District Durg (C.G.) for the offence punishable under Section 294, 323, 395, 436 & 427 of IPC.
2. The allegation against the present applicant as per the prosecution case is that, the present applicant in connivance with the large number of persons i.e. the other accused persons in the process of staging a protest got violent and have attacked the wine shop operating at Devbalod area.
3. The counsel for the applicant submits that, the present applicant's name is not reflected in the F.I.R. and that he has been falsely implicated in the instant case.

4. The State counsel on verifying the case diary submits that, the F.I.R. as such was lodged against 15-20 unknown persons and the present applicant has been charged only on the memorandum statement of the accused person.

5. Given the facts and circumstances of the case, particularly the fact that except for the memorandum statement of the accused, there is no material available in the case diary against the present applicant.

6. Therefore, this court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:

1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
2. The accused/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;
3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

4. 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.

7. Certified copy, as per rules.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE