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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Cr.) No. 218 of 2017**

Suryakant Nahak S/o Shri Vrindavan Nahak, Aged About 38 Years R/o Godripara Main Road Chrimiri, Thana Chrimiri, District Koriya Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Secretary, Department Of Home, Mantralaya, Mahanadi Bhawan, Naya Raipur Chhattisgarh
2. Superintendent Of Police Korba, District Korba, Chhattisgarh.
3. Collector, Korba, District Korba, Chhattisgarh.
4. Superintendent Of Jail Korba, District Korba, Chhattisgarh.
5. Station House Officer, Police Station Katghora, District Bilaspur Chhattisgarh
6. Sahanawaz Akhtar, S/o Shri Abun Khair, Aged About 32 Years R/o Pali Road, Deepaka, Thana Dipaka, District Korba Chhattisgarh

---- Respondents

For the Petitioner	:	Shri Vinay Pandey, Advocate.
For the Respondent/ State	:	Shri Neeraj Sharma, Deputy Government Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.07.2017**

1. Heard.
2. The petitioner has prayed for issuance of a direction to the respondents to take necessary measures by exercising the powers of this court under Article 226 of the Constitution of India in favour of the petitioner.
3. Learned counsel for the petitioner submits that the petitioner is one of the accused in Crime No. 102 of 2016 registered in police station Dipaka, District Korba under Sections 420, 467, 468, 471, 120-B, 201 read with

Section 34 of the Indian Penal Code. The petitioner applied for anticipatory bail before this court vide M.Cr.C. No. 1281 of 2016 which has been rejected on 24.3.2017. The petitioner is willing to surrender before the court of jurisdiction but the co-accused who is respondent No.6 in this petition is threatening the petitioner and pressurizing him to pay Rs.10,00,000/- before surrendering before the court, otherwise he will have to face consequences inside the jail. On receiving the threat, the petitioner made a representation before Superintendent, District Jail, Korba informing him about the threat given by respondent No.6 and for necessary protection. Similarly, he has filed applications before the Collector, S.H.O., Police Station Khatghora and Superintendent of Police, Korba seeking protection against the threat given by respondent No.6. Till date, no action has been taken by any of the respondents. Hence, it is prayed that necessary directions may be issued in this respect.

4. Learned counsel for respondents No.1 to 5 has submitted that he has no objection if the petition is disposed of with the aforesaid direction.

5. Learned counsel for the petitioner has filed an affidavit in support of the statement made in the writ petition.

6. Considering the allegations made by the petitioner against respondent No.6 and his efforts made to seek protection from respondents No.2 to 5, it appears that respondents No.2 to 5 are required to give some serious consideration on the apprehension of the petitioner. Hence, this petition is allowed.

7. Respondents No.1 to 5 are directed to consider and enquire on the representation made by the petitioner and if necessary, act accordingly to provide protection to the petitioner as and when he surrenders before the trial court.

8. With the aforesaid observations and directions, this petition is disposed of at the motion stage.

Sd/-

(Rajendra Chandra Singh Samant)
Judge