

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 775 of 2017

Abdul Kareem S/o M A Faheem Aged About 32 Years R/o Salhewarpara,
Dhamtari Police Station Tehsil, Civil & Revenue District Dhamtari, Chhattisgarh.

---- Petitioner

Versus

State Of Chhattisgarh Through Police Station City Kotwali, Dhamtari, District
Dhamtari, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Adil Minhaj, Advocate
For State	:	Shri Satish Gupta, Govt. Advocate

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

06/10/2017

Heard.

1. This application under Section 438 of Cr.P.C. has been repeated by the applicant apprehending his arrest in connection with Crime No.194/2015, registered in Police Station- City Kotwali, Dhamtari, District- Dhamtari, for alleged commission of offence under Sections 186, 332, 353, 147, 148, 149, 294, 153A IPC.
2. Learned counsel for the applicant submits that even though the applicant has not been named in the FIR or in any other statement taken by the police so far, time and again, the applicant is being harassed and he had to again file application because he was again called by the police official in connection with some criminal case and now there is reasonable apprehension of his arrest.
3. On the other hand, learned counsel for the State submits that till date the police

has not registered any criminal case against the present applicant Abdul Kareem, S/o M.A. Faheem.

4. Dispute relates to some mob-frenzy having taken place in 2015. The applicant does not appear to be a person of criminal antecedents, therefore, in these circumstances, I am inclined to protect the applicant.
5. The application is accordingly allowed. 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 arresting officer on his furnishing a personal bond in the sum of Rs.10,000/- along with one local surety in the sum of Rs.25,000/- to the satisfaction of the arresting officer with following further conditions that:

- (i) the applicant shall make himself available for interrogation by the police officer as and when required;
- (ii) the 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;

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge