

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 25 of 2017**

- Deva Sahu @ Devkumar Sahu S/o Shri Kanhaiya Ram Sahu, Aged About 34 Years R/o Ramnagar, Ward No.1 Kawardha, Thana & Tahsil Kawardha, District Kabirdham Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through District Magistrate Kabirdham Chhattisgarh

---- Respondent

For Applicant	Mr. Alok Dewangan, Advocate
For Respondent/State	Ms. Shobha Kashyap, Dy. GA

Hon'ble Mr. Justice Prashant Kumar Mishra
Order On Board**24/5/2017**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.259/2016, registered at Police Station Kawardha, District Kabirdham for the offence under Sections 294, 332, 353 & 506 of IPC.
3. The applicant appears to have purchased a house in the Deendayal Colony of Chhattisgarh Housing Board at Kabirdham. The complainant is a Sub-Engineer in the Housing Board. At the time of the incident, the complainant was supervising the repair work of tube-well of Deen Dayal Colony. At that time, the applicant threatened the complainant by alleging that he is not delivering the possession of the house

purchased by the applicant.

4. Considering the fact that the offences are triable by the Judicial Magistrate First Class and the applicant appears to be disturbed on account of non-delivery of the house by the Chhattisgarh Housing Board, I am of the opinion that present is a fit case, in which, applicant deserves to be extended the benefit of Section 438 of Cr.P.C.
5. Accordingly, the bail application is allowed and it is directed that in the event of arrest of the applicant, if he furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned arresting/investigating officer or the Court concerned, as the case may be, then, he shall be released on bail on the following further conditions :
 - (i) that the applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required ;
 - (ii) that 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;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that 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.

6. Certified copy as per rules.

Sd/-

Vacation Judge

(Prashant Kumar Mishra)