

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 29 of 2017**

- Chaman Goyal S/o Late Ghansyam Das, Aged About 48 Years, Occupation Business, R/o Pathalgaon, Tahsil Pathalgaon, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Pathalgaon, District Jashpur, Chhattisgarh.

----Non-applicant

For Applicant	: Shri Sanjay Agrawal, Advocate.
For Non-applicant/State	: Shri Arvind Shukla, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****15/11/2017**

1. Apprehending arrest in connection with Crime No.252/2016, registered at Police Station - Pathalgaon, District - Jashpur (C.G.) for offence punishable under Section 135 of Electricity Act 2003, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by the learned counsel for the applicant that this is first bail application of the applicant under Section 438 of the Cr.P.C. before this Court. It is submitted that the applicant is proprietor of fly ash bricks manufacturing unit situated at Bandhanpur, Ludeg within the jurisdiction of P.S. Pathalgaon, on search and investigation made by a team of CSPDCL it was found that the applicant was illegally consuming electricity through a direct cable, on that basis the case has been registered and a demand note of Rs.18,53,648/- was issued, which was later on modified to demand of Rs.9,38,044/-. The applicant has made the payment of the demand made. The documents, copy of receipt and the certificate issued by CSPDCL is produced on record. It is prayed that the

applicant has been falsely implicated in this case. Hence, he may be granted anticipatory bail.

3. Learned counsel for the non-applicant/State opposes the application and the submission made in this respect. It is submitted that the concerned receipt and the certificate need verification.

4. I have heard the learned counsel for the parties and perused the case diary.

5. Considering on the submissions made and contents of the case diary, I am of this view that this is a fit case where the applicant should be benefited with grant of anticipatory bail.

6. Accordingly, the anticipatory bail application (MCRCA No.29/2017) is hereby allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released after verifying the said certificate and receipt of payment of demand made by the CSPDCL on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the 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.

7. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Aadil