

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 81 of 2017**

Ramlal S/o Bedul Satnami Aged About 50 Years R/o Village Pradhanpur,
Police Station Kosir, Tahsil Sarangarh, District Raigarh, Chhattisgarh, (As
Per Bail Application Of The Present Applicant Is Mentioned As Address).

-----Applicant

Versus

State of Chhattisgarh Through The Station House Officer, Police Station
Kosir, Civil & Revenue District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	:	Shri UR Koshaley, Advocate.
For Respondent	:	Shri Neeraj Mehta, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

18/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.156 of 2016 registered at Police Station Kosir, Distt. Raigarh, for the offence punishable under Sections 279,337,354(Kha) and 294 IPC.
2. The allegation against the applicant as per prosecution is that, on 30.12.2016 the applicant is said to have dashed the complainant with motorcycle and is said to have used abusive language, assaulted and also tried to outrage her modesty.
3. According to the counsel for the applicant, the applicant has falsely been implicated in the case only to take political vendetta. According to him, the present applicant is the ex-Sarpanch of the village and the complainant is the present Sarpanch of the village. The applicant in the recent past on 08.09.2016 had filed a complaint in respect of non performing in the works and illegality and irregularity committed by the complainant before the SDO and which is under scrutiny and therefore to counter those contentions, the applicant has been implicated in the present case.

4. Counsel for the State however opposes the bail application on the ground that there is written complaint lodged by the complainant and that the allegations are specific against the applicant.
5. Having heard learned counsel for the parties and taking into consideration the total facts and circumstances of the case, more particularly taking note of Annexure A/2 which is the complaint lodged under Section 40 of the Chhattisgarh Panchayat Raj Adhiniyam before the SDO (Revenue) Sarangarh and also taking note of report dated 22.09.2016 made by the applicant to the Police Station, Kosir, Distt. Raigarh, prima facie the complaint lodged by the complainant seems to be one of political vendetta, and 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.
6. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge