

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 367 of 2017**

1. Parasmani S/o Mahadev @ Brijlal Sahu Aged About 31 Years
2. Mahadev @ Brijlal S/o Bhagela Sahu Aged About 63 Years

Both R/o Village Kanji, Police Station- City Kotwali, Balodabazar, District-Balodabazar Bhatapara, Chhattisgarh.

-----Applicants

Versus

State Of Chhattisgarh Through Police Station City Kotwali, Balodabazar, District Balodabazar-Bhatapara (CG).

---- Respondent

For Applicants	:	Shri Tarun Dansena, Advocate.
For Respondent	:	Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

19/05/2017

1. The applicants have filed this application for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No.39 of 2017 registered at Police Station City Kotwali, Distt. Balodabazar, for the offence punishable under Sections 294,323,506/34 IPC and under Section 3(2)(5)(Ka) of ST & SC Act.
2. The allegation against the applicants as per the prosecution is that, the applicants and the group of other persons were protesting against the complainant from operating a liquor shop from the village. It is alleged that the entire villagers on 07.02.2017 is said to have filed a complaint before the Collector, Balodabazar and to take a revenge against the protesting, the complainant has lodged a false complaint. The allegation

is that the applicants have abused the complainant of his Caste and is said to have assaulted and threatened him of dire consequences.

3. Taking into consideration the fact that the matter, prima facie, appears to be a counter attack made by the complainant to the complaint originally lodged by the villagers including the present applicants to the Collector, Balodabazar, this court is of the view that it is a fit case to grant anticipatory bail to the applicants.
4. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:
 1. That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required;
 2. The accused/applicants 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 them from disclosing such facts to the Court or to any police officer;
 3. The accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 4. The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
5. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge