

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 366 of 2017**

Mustkeem Khan @ Munna, son of Hasanyar Khan, aged about 50 years, R/o village Semara ,Tehsil Pendraroad, District Bilaspur (CG).

-----Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Gourela, District Bilaspur (CG).

---- Respondent

For Applicant	:	Shri Ashok Soni, Advocate.
For Respondent	:	Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

17/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.80 of 2017 registered at Police Station Gourela, Distt. Bilaspur, for the offence punishable under Sections 294,506 and 456/34 IPC.
2. The allegation against the applicant as per prosecution is that, on 03.04.2017 at 10:10-30 PM in the night there was an altercation first in front of betel shop between the applicant and the complainant and thereafter the applicant and other co-accused persons is allegedly said to have entered into the house of the complainant and have abused and threatened him.
3. According to the counsel for the applicant, the applicant has falsely been implicated in the case. According to him, it is a case where the complainant is a Lawyer and is contesting the case on behalf of Imran and Nadeem and where the opposite party is the present applicant. To put pressure upon the applicant in the said case, the applicant has been falsely implicated.
4. Counsel for the State however opposes the bail application and submits

that there is statements of Imran and Nadeem recorded in the present case to support the case of the prosecution. However, to the fact that Imran and Nadeem are client of the complainant, who is a Lawyer and is representing them in a case against the present applicant, has not been disputed by the State counsel.

5. Having heard learned counsel for the parties and taking into consideration the total facts and circumstances of the case, 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