

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 517 of 2017

Govind Raj Naidu S/o Shri Bramharaj Naidu Aged About 38 Years R/o
Panchsheel Society, Borsi, Durg Tahsil & District Durg Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through The District Magistrate, District Durg
Chhattisgarh

---- Respondent

For Applicant	:	Shri N. Naha Roy, Advocate
For State	:	Ms. Sunita Jain, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13/12/2017

Heard.

1. This application under Section 438 of Cr.P.C. has been preferred by the applicant apprehending his arrest in connection with Crime No.218/2016, registered in Police Station -Durg, District- Durg, for alleged commission of offence under Sections 186, 353, 294, 500 IPC.
2. Case of the prosecution, in brief, is that the applicant obstructed the Police Officers in performance of their official duty and also hurled abuses.
3. Learned counsel for the applicant would submit that the allegation against the applicant is exaggerated and even if it is taken as it is, the essential ingredients of offence under Sections 186, 353 IPC are not made out. Therefore, the applicant may be given protection of anticipatory bail.

4. On the other hand, learned counsel for the State would submit that the manner in which the applicant behaved with the police officers, a prima facie case is made out against him.
5. Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the nature of overt act alleged against the applicant and that there is no injury on any of the police officers much less any statement that the applicant assaulted on any police officer, I am inclined to protect the applicant by granting him anticipatory bail.
6. The application is accordingly allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the arresting officer on his furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the arresting officer with following further conditions that:
 - (i) the applicant shall make himself available for interrogation by the police officer as and when required;
 - (ii) 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 from disclosing such facts to the Court or to any police officer;

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge