

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 629 of 2017

- Tekar Ram Sahu S/o Late Shri Dindayal Sahu Aged About 50 Years Caste Teli, Occupation Service & Agriculture R/o Village Patpar, O.P. Chichola Police Station Churria, District- Rajnandgaon, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through The O.P. Chichola Police Station Churria, District- Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	: Mr. S.S. Baghel, Advocate
For Respondent/State	: Mr. A.K. Shukla, PL.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10.11.2017

1. Apprehending arrest in connection with Crime No.74/2017 registered at O.P. Chichola, PS- Churria, District – Rajnandgaon (C.G.), for offence punishable under Section 294, 506, 147 of the Indian Penal Code & 3, 5 of the Tonhi Pratadna Adhiniyam the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted that applicant is a Government servant and is posted as Forest Guard in the Forest Division. He has been falsely implicated in this case by the complainant (Usha Bai Sahu), she is family member of the applicant and is in relation sister-in-law. There is a dispute regarding partition of ancestral

property, because of which, a false report has been lodged against the applicant to harass and implicate him in this case, therefore, the counsel prays that, the applicant may be extended the benefit of anticipatory bail.

3. Learned State counsel opposes the application for grant of bail. It is submitted that incident took place in the intervening night of 21.02.2017 – 22.02.2017 and written complaint was made in Superintendent of Police on 23.02.2017. On the basis of which FIR lodged on 25.04.2017, as per the allegation and the statement of the complainant the case is made out against the applicant, hence, for these reasons the applicant is not entitled for grant of bail.
4. I have heard the learned counsel for the parties and perused all the documents placed on record and the case diary.
5. Considering the statements and the contents of the case diary and taking into consideration the facts that the main offences in this case are bailable, the applicant is Government servant and is posted as a Forest Guard in the Forest Division, that it is expected of him, he will not mis-use the liberty of being on bail for these reasons the application is allowed.
6. Accordingly, the anticipatory bail application is allowed and 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 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.

Certified copy as per rules.

Sd /-

(Rajendra Chandra Singh Samant)

Judge