

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1156 of 2016**

- Raju Yadav S/o Setram Yadav Aged About 30 Years R/o Village Badadarha, Police Station Dabhra, Tahsil Dabhra, District Janjgir Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer Police Station Dabhra District Janjgir- Champa, Chhattisgarh.

---- Non-applicant

For Applicant:	Mr. Anand Kesharwani, Advocate
For State:	Mr. Ashok Swarnkar, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****17.05.2017**

1. Apprehending arrest in connection with Crime No. 35/2010 registered at Police Station- Dabhra District – Janjgir Champa(C.G.), for offence punishable under Sections 395, 427, 435, 323, 511, 147 and 148 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Learned Counsel for the Applicant at the outset submits that there are about 8 persons who have been made accused in the present case whereas from the statement of the witnesses and case diary it is revealed that there was a crowd of about 70 to 75 persons at the place of incident.
3. He further submits that four of the co-accused persons namely Shyamlal, Vidhyadhar Patel, Prahlad Yadav, and Ramkumar Yadav have been granted anticipatory bail on 31.01.2011 in MCRCA No.

39/2011. He further submits that it is only recently that he came to know about the proceeding against the present Applicant. He prays for similar relief as has been granted to the co-accused referred herein above.

4. On perusal of the said order the learned State Counsel does not dispute that the allegation against those applicants being similar to that of the present Applicant.
5. Considering the aforesaid facts and circumstances of the case particularly taking into consideration the anticipatory bail having been granted to the other co-accused persons, this court is of the opinion that the present applicant also deserves to be treated equally and be granted liberty of anticipatory bail.
6. The present MCRCA deserves to be and is accordingly allowed.
7. 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.

Sd/-

(P. Sam Koshy)
JUDGE

kishore