

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 6 of 2017**

- Jitendra Kumar Lahre S/o Tulsidas Lahre Aged About 34 Years R/o Village Sonpur (Rani), Kawardha, Police Station Kawardha, District Kabirdham, Chhattisgarh.

---- **Petitioner****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Utai, District Durg, Chhattisgarh.

---- **Respondent**

 For Applicant : Mr. Uttam Pandey, Advocate

For Respondent/State : Mrs. M. Asha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****17-5-2017**

1. Apprehending arrest in connection with Crime No. 62 of 2016 registered at Police Station Utai, District Durg (CG) for offence punishable under Sections 507, 341, 384, 34 of the IPC, the applicant has preferred the second bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that a report was made by one Devendra Kumar Chhatija alleging that while he was returning from his factory, a tree was kept across the road, when he stopped the car, three persons tried to chase him and started approaching with axe and he fled away after reversing the car. Subsequently he received a phone call of one Usman Ali and Rs.2.00 crores was demanded. Subsequently, one F. Bushkin was arrested and on his memorandum, it is revealed that the applicant was also working with said Bushkin.

3. Learned counsel appearing for the applicant would submit that this is second bail petition for grant of anticipatory bail, earlier first bail petition was dismissed on merits on 10-8-2016. He would further submit that the applicant is suffering from severe medical ailment and different documents have been filed. One of the co-accused has been granted bail, charge-sheet has been filed in this case and no purpose would be served if the applicant is detained in jail, therefore, the applicant may be granted benefit of anticipatory bail.
4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. State counsel was asked to call for the medical report of the applicant. On verification of the documents filed by the applicant, State counsel has filed reply which would show that the applicant was operated for fracture of both hands and shoulders and thereafter he is being treated for stones in the kidney by different Doctors.
7. Considering the facts and circumstances of the case and further considering the medical report of the applicant, without any observation on the merits of the case, I am inclined to extend benefit of anticipatory bail to the applicant.
8. 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 his executing a personal bond in the sum of Rs.25,000/- with one local 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) 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/-
(Goutam Bhaduri)
Judge

Raju