

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 218 of 2018**

1. Kundan Singh S/o Late Ram Singh Aged About 30 Years R/o Darogapara, Raigarh Tahsil And Distt. Raigarh Chhattisgarh
2. Ajeet Jogi @ Lalla S/o Late Ram Singh Aged About 22 Years R/o Darogapara, Raigarh Tahsil And Distt. Raigarh Chhattisgarh,

----Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Distt. Raigarh Chhattisgarh,

---- Respondent

For Applicants	:	Shri Vivek Kumar Tripathi, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****01/05/2018**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants apprehending their arrest in connection with Crime No. 338/2016 registered at Police Station City Kotwali, Distt. Raigarh (C.G.) for the offence punishable under Sections 294, 506, 323, 327, 147, 148 & 149 IPC.
2. As per the prosecution case, the present applicants were the employee of a contractor of the vehicle stand at Railway Station are said to have entered into a quarrel with the complainants and assaulted them causing injuries to four persons. Thereby the offence has been committed.
3. Learned counsel for the applicants submits that initially offence under Section 323 IPC was registered and subsequently the offence under Section

327 IPC was added. He further submits that the similarly placed co-accused has been enlarged on bail in M.Cr.C.A No.1340/2016 on 18.05.2017 and the case of the present applicants is also similar to him, therefore, the applicants may also be given the benefit of anticipatory bail.

4. Learned State counsel do not object to the same that the case of the present applicants is similar to that of one Sachin Mishra.
5. In view of the above, I am inclined to allow this anticipatory bail application.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (i) that the applicants shall make themselves available for interrogation before the investigation officer as and when required;
- (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu