

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 327 of 2018

- Ramkumar Chauhan S/o Jaldheer Chauhan, Aged About 42 Years, Cast Cheek, R/o Farshabahar, Police Station And Tahsil Farshabahar, Civil And Revenue District Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Of Police Station Farshabahar, District Jashpur Chhattisgarh, District : Jashpur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Ravi Kumar Bhagat, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-07-2018

1. Apprehending arrest in connection with Crime No.60/2017, registered at Police Station – Farshabahar, District- Jashpur, Chhattisgarh for offence punishable under Section 66(e) & 67(A) of Information and Technology Act and Section 3(1) (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant himself belongs to Scheduled Caste and without any rhymes and reason the offence has been added by the concerned police station while he was earlier granted anticipatory bail in same crime number in MCRCA No.950/2017 vide order dated 01-02-2018. Hence, it is prayed that the application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. Earlier this applicant was granted anticipatory bail vide order dated 01-02-2018 in the same crime number in which offence under Section 3(1)(x) of

the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act was not added. In the investigation, later on, this additional offence has been added, but looking to the social status of the applicant himself, it appears that Investigating Officer needs to examine addition of such offence in the case. Hence, for these reasons, I am inclined to allow this application.

6. Accordingly, the anticipatory bail application is 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 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.

7. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge