

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.(A) No.369 of 2018**

1. Pokhraj Singh, S/o Rajendra Singh, aged about 37 years,
  2. Manish Singh, S/o Rajbahadur Singh, aged about 29 years,
  3. Ashish Singh, S/o Rajbahadur Singh, aged about 31 years,
- All are R/o Village Puran, Tahsil and District Mungeli, Chhattisgarh

---- Applicants

**versus**

State of Chhattisgarh through Station House Officer, Police Station  
City Kotwali, Mungeli, District Mungeli, Chhattisgarh

---- Respondent

|                |   |                               |
|----------------|---|-------------------------------|
| For Applicants | : | Shri Awadh Tripathi, Advocate |
| For Respondent | : | Smt. M. Asha, Panel Lawyer    |

**Hon'ble Shri Justice Arvind Singh Chandel****Order on Board****11.5.2018**

1. The Applicants are apprehending their arrest in connection with Crime No.733 of 2017 registered at Police Station City Kotwali, Mungeli, District Mungeli for offence punishable under Sections 294, 506, 427, 458 read with Section 34 of the Indian Penal Code.
2. Facts of the case, in brief, are that on 15.12.2017, Kavita Singh lodged a report in Police Station City Kotwali that on 12.12.2017 at about 10:00 p.m., the present Applicants entered her house, abused her in filthy language, destroyed articles of her house and threatened her and her son of their lives. On the basis of the said report, the aforesaid offence has been registered against the present Applicants.
3. Learned Counsel appearing for the Applicants submits that the Applicants are innocent. They have falsely been implicated in the

case due to a previous enmity. Earlier also, the present Complainant had made a complaint against Applicant No.2, Manish for offence punishable under Section 436 of the Indian Penal Code. Subsequently, Manish was acquitted of the charge. It is further submitted that one Amit Kumar Sharma was assaulted by the son of the Complainant. On the basis of that, a sessions trial for offence punishable under Section 307 of the Indian Penal Code is pending against the son of the Complainant in which notices have been issued for evidence of the present Applicants, who are witnesses in the said case. When the Applicants did not agree to compromise the offence in the said case, they have falsely been implicated in the present case through the Complainant. Applicant No.1, Pokhraj is the Up-Sarpanch of the Gram Panchayat and other Applicants are also members of the said Panchayat.

4. Learned Counsel appearing for the State/Respondent opposes the prayer for grant of anticipatory bail. She submits that sufficient evidence is available on record against the present Applicants. She further submits that many cases are already registered against Applicant No.1, Pokhraj. He is a habitual offender.
5. I have heard Learned Counsel appearing for the parties and perused the case diary with due care.
6. Considering the above facts and circumstances of the case and the material available on record against the Applicants, I am not inclined to release them on anticipatory bail.
7. Accordingly, the bail application is rejected.

8. At this stage, Learned Counsel appearing for the Applicants submits that on Applicants' surrender before the concerned Trial Court, their application for grant of regular bail may be considered and decided on the date of its filing itself.
9. On due consideration, it is directed that on the Applicants' surrender before the concerned Trial Court on a Court working day between 11:00 a.m. and 11:30 a.m. and on filing of an application for grant of regular bail on their behalf, the Trial Court shall consider and decide the application on the date of its filing, if possible.

Sd/-  
**(Arvind Singh Chandel)**  
**JUDGE**