

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 394 of 2018

- Tarun Verma S/o Kamta Verma, Aged About 32 Years, R/o- Devbalod Khalepara Police Station- Bhilai-3 Tehsil Patan District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Bhilai-3, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri Vijay K. Sahu, Advocate.

For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-06-2018

1. Apprehending arrest in connection with Crime No.212/2016, registered at Police Station – Bhilai - 3, District- Durg, Chhattisgarh for offence punishable under Section 294, 323, 436, 427 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated only on the basis of the memorandum statement given by the co-accused person, apart from that, there is no other statement of any witness against him. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. As per the case against this applicant, on the date of incident a mob got violent and attacked on the wine shop at Devbaloda and in that incident the wine shop was set ablaze. The FIR was lodged without naming any of the accused persons. The name of this applicant came in the memorandum statement of the co-accused Devraj Sahu.

6. Co-accused Devraj Sahu has been enlarged on anticipatory bail by the coordinate Bench of this Court. Hence, after due consideration on the entire material present in the case diary, I am of this opinion that this is a fit case for grant of anticipatory bail to this applicant.

7. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge