

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C.(A) No. 1121 of 2017**

Raj Maravi S/o Sukhdev Aged About 28 Years R/o Ward No. 39 Domanhil Chirmiri, Tahsil Khadgawa, District Korea Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through Station House Office, Police Station Chirmiri, District Korea Chhattisgarh.

**---- Respondent**


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|--------------------------|---|------------------------------------------------------------------------|
| For the Applicant        | : | Shri Vasant Zokarkar, Advocate on behalf of Shri Deepak Lal, Advocate. |
| For the Respondent/State | : | Shri Vinod Tekam, P.L.                                                 |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant****ORDER****16.03.2018**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.
  
2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 418 of 2017, registered at Police Station – Chirmiri, District – Korea, Chhattisgarh for the offences punishable under Sections 186, 294, 332 and 353/ 34 of the Indian Penal Code.
  
3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is a reporter of Zee M.P. C.G., News Channel and he was present on the spot to cover some news. It was at that time the main accused Raju Gupta committed the alleged act of

offence and this applicant was trying to cover the same. The prosecutrix has named him as a co-accused, but the applicant was not a party to the said offence. Hence, it is prayed that the applicant be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that no case is made out for grant of anticipatory bail to the applicant.

5. Heard counsel for both the parties and perused the case diary.

6. According to the prosecution case, on the date of incident, the wife of main accused Raju Gupta had delivered a child and as there were some rashes on the abdomen of the child, some medicines were given by complainant – Anjali Prasad. Unsatisfied with this treatment, the main accused caught hold of the hand of the complainant and brought her pulling before the media present, where this applicant was present with his camera and was recording whatever was going on.

7. Considering the submissions and the contents of the case-diary, particularly the material present against this applicant and the fact that he himself has not participated in the offence in any manner but he was simply present on the spot, appears to be in capacity of a news reporter, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of anticipatory bail.

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 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. He 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 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.'

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge