

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 625 of 2018

- Ravi Soni S/o Shayamlal Soni Aged About 43 Years Caste- Soni, R/o- Gaurela, (Ward No. 12, Bhattatola) P.S.- Gaurela, Tahsil- Pendraroad, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- S.H.O. Gaurela, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Hemant Gupta, Advocate.
For Respondent	:	Mrs. Smita Ghai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

19/07/2018

1. Apprehending arrest in connection with Crime No.68/2018 registered at Police Station- Gaurela District – Bilaspur(C.G.), for offence punishable under Sections 448, 384, 500, 509, 452, 34 of the Indian Penal Code (for short 'IPC'), the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that applicant has been falsely implicated in this case. It is submitted that this applicant is a tenant of the complainant Sangeeta Martin and there had been a dispute about vacating the tenanted premises because of which false FIR has been lodged by the complainant, which shows a totally improbable case. Similarly placed co-accused persons have been

granted regular as well as anticipatory bail by this Court. Hence, it is prayed that he may be benefited with grant of anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. Complainant Sangeeta Martin has lodged FIR alleging, that applicant and the other co-accused are her tenants. On the date of incident, this applicant along with other co-accused persons forcefully entered into her house armed with clubs demanded Rs.5 lakh for vacating the shops and house. They also abused and threatened the complainant. Hence, the case.
6. On perusal of contents of the case diary, it appears that there is dispute about tenancy of this applicant and others with complainant and complainant wishes applicant and others to vacate the tenanted premises, because of which there is a long standing dispute between them. After due consideration on all the material on record and also considering this fact that similarly placed co-accused persons have been granted regular/anticipatory bail, therefore, I am of this view that this is a fit case where applicant should be benefited with grant of anticipatory bail.
7. 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 his executing a personal bond in the 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 them by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge