

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 907 of 2018**

Ritik Kumar Anchal, S/o. Satya Narayan Anchal, aged about 18 years,
R/o. Village/Post – Godhi, Thana – Balko Nagar, Tahsil/District – Korba
(C.G.)

---Applicant

Versus

State Of Chhattisgarh, Through : Police Station- Balko Nagar, District
Korba, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Samir Singh, Advocate
For Respondent/State	: Mr. Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**05/09/2018**

1. Apprehending arrest in connection with Crime No.341/2017, registered at Police Station – Balko Nagar, District – Korba (C.G.) for offence punishable under Section 294, 506, 323, 326, 427, 147, 148, 325 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The name of the applicant has not appeared in the FIR that was lodged in this case by the complainant. In subsequent development, the name of the applicant has been added in the statement of the witnesses under Section 161 of Cr.P.C, which shows concoction. Similarly placed co-

accused persons have been granted anticipatory bail by this Court in M.Cr.C.(A) Nos.332, 359, 451 of 2018. Hence, it is prayed that he applicant may also be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. As alleged that there had been a meeting of the society to discuss about celebration of Guru Ghasidas Jayanti, some dispute arose in that meeting between the complainant party and others, in which complainant Dubey Chand and others were assaulted by the accused persons, regarding which FIR has been lodged.
6. Considered the submissions made and the contents of the case diary. The name of this applicant has not appeared in the FIR, which was lodged on 29.12.2017. His name has appeared for the first time in the statement under Section 161 of Cr.P.C., which was recorded on 01.01.2018 i.e. after two days of lodging of FIR and the allegations against him are of general in nature. Hence, after due consideration on all the material present on record and also considering this fact that similarly placed co-accused persons have been enlarged anticipatory bail, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram