NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1118 of 2018

- Chandrapratap Tiwari S/o Mithailal Tiwari, Aged About 42 Years, R/o- Village Godi, Police Station Bilha, Tahsil & District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station Bilha, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Shaleen Singh Baghel, Advocate.
For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

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

03-10-2018

1. Apprehending arrest in connection with Crime No.211/2018, registered at Police Station – Bilha, Bilaspur, District- Bilaspur, Chhattisgarh for offence punishable under Section 353, 332 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 in this case. Because of break down of the transformer of the electricity the complainant and other persons had been to the spot, it was at that time the applicant and the complainant engaged in arguments. A complaint was filed against the employee of CSPDCL which is outcome of the same incident regarding which Crime No.241/18 for the offence under Section 294 of the IPC has been registered against the said employee. The false FIR has been lodged against this applicant. Hence, it is prayed that this 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. It is alleged that this applicant abused and slapped the employee of

CSPDCL who was present on the spot to make the repair in the electric supply. Hence, this case.

6. After considering on the material present in the case diary and also considering that there is a counter case against the complainant side also, I feel inclined to allow this application.

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

Aadil