

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1161 of 2018

1. Mahendra Yadav S/o Late Devnanadan Yadav, Aged About 32 Years, R/o Village Tatijhariya, P.S. Samripath, Tahsil- Samri, District Balrampur-Ramanujanj, District : Balrampur, Chhattisgarh
2. Satyanarayan Yadav S/o Devvansh Yadav, Aged About 50 Years, R/o- Village- Tatijhariya, P.S. Samripath, Tahsil- Samri, District- Balrampur-Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh
3. Ramsakal Yadav S/o Raghuvansh Yadav, Aged About 51 Years, R/o- Village- Tatijhariya, P.S. Samripath, Tahsil- Samri, District- Balrampur-Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh
4. Harendra Yadav S/o Late Devnand Yadav, Aged About 23 Years, R/o- Village- Tatijhariya, P.S. Samripath, Tahsil- Samri, District- Balrampur-Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh
5. Vijendra Yadav S/o Ramprasad Yadav Aged About 28 Years R/o- Village- Tatijhariya, P.S. Samripath, Tahsil- Samri, District- Balrampur-Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Samripath, District Balrampur- Ramanujanj, Chhattisgarh., District : Balrampur, Chhattisgarh

---- Non-applicant

For Applicants – Shri A.K.Yadav, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-10-2018

1. Apprehending arrest in connection with Crime No.30/2018, registered at Police Station –Samripath, District Balrampur- Ramanujanj, Chhattisgarh for offence punishable under Section 186, 332, 353, 294, 506, 147 of the IPC, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicants that the applicants have been falsely implicated in this case. The fact is this, that applicant No.1 had filed a complaint against the complainant before the CEO, Janpad Panchayat Kusami, regarding the financial irregularities because of corruption committed by the complainant and as a counter blast of that, this false FIR has

been made. Applicant No.1 is Deputy Sarpanch of Gram Panchayat Tatijhariya and rest of the applicants are his brothers who have no connection with the offence. Hence, it is prayed that all these applicants may be benefited with grant of anticipatory bail.

3. Learned counsel for non-applicant/State opposes the application submitting that serious allegation has been made by the complainant against applicant No.1 that he had grievance from the complainant for not including name of his family members in the list of beneficiaries of Pradhan Mantri Awas Yojna, because of which this incident has occurred. Hence, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. It is alleged that on the date of incident when the complainant was on his way was obstructed, abused, threatened, manhandled and injured by the applicants.

6. After considering on all the material present in the case diary and considering the documents filed by the applicants regarding the earlier complaint made by applicant No.1 against the complainant, I feel inclined to allow this application.

7. Consequently, the anticipatory bail application is allowed. It is directed that in the event of arrest of these applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them 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. These applicants shall also abide by the following conditions :

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they 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 they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge