

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1133 of 2018

1. Vikash Agrawal S/o Subhashchand Agrawal Aged About 37 Years R/o Mahuapani Road, Kharsiya Distt. Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
2. Vinay Agrawal S/o Mohanlal Agrawal, Aged About 31 Years, R/o Sani Mandir, Kharsiya Distt. Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh
3. Bhuru @ Satish Kumar Goyal S/o Mahavir Prasad Goyal, Aged About 38 Years, R/o Govind Colony, Kharsiya Distt. Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through P. S. Kharsiya, Distt. Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicants – Shri Sanjay Agrawal and Shri Akhand Pratap, Advocates.
For Non-applicant/State – Shri Lav Sharma, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-09-2018

1. Apprehending arrest in connection with Crime No.391/17, registered at Police Station – Kharsiya, District Raigarh, Chhattisgarh for offence punishable under Section 147, 148, 149, 294, 506, 457, 354, 323, 427 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. Names of these applicants do not appear in the FIR lodged by the complainant/victim and they have arrayed as accused in the development later on. Hence, it is prayed that the applicants 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. The case against these applicants and other co-accused persons, is that, on the date of incident about 150 to 200 persons of the locality formed an

unlawful assembly and then abused, threatened and committed the house-trespass in the house of complainant Savitri Naidu, then assaulted, outraged her modesty and also caused mischief by destruction of some household articles. Hence, this case.

6. For the reason that names of these applicants had not appeared in the FIR in the initial stage and also for the reason that co-accused Gaurav Banarjee, Arun Agrawal and Yogesh Ambawani have been granted anticipatory bail by this Court in MCRCA No.784 of 2018 vide order dated 23-08-2018, 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 applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them 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 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