

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1283 of 2018

- Pushparaj Singh S/o Sitaram Singh, Aged About 28 Years, R/o Madanpur, Post Fasterpur, Police Station Mungeli, District Mungeli Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Shri Amit Singh, Advocate.

For Non-applicant/State – Shri Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-10-2018

1. Apprehending arrest in connection with Crime No.408/2018, registered at Police Station – City Kotwali Janjgir, District- Janjgir-Champa, Chhattisgarh for offence punishable under Section 420, 467, 468, 471 of the IPC and Section 66C, 71 of Information Technology (Amended) Act 2000, 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. The allegation that he has obtained a SIM card for mobile on the basis of fake ID is totally false and no case is made out against him. Hence, it is prayed that he may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant is Ex-Constable who had earlier been removed from the service twice because of his indiscipline and some misconduct with respect to the investigation proceeding and he has created nuisance by making use of the SIM in his name which has resulted in indiscipline in the police force of District Janjgir-Champa.

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

5. It is alleged that this applicant by making use of mobile phone has created a whatsapp group styled as Janjgir Constable Parivar and he has posted instigatory and derogatory messages, because of which, indiscipline has been created in the police ranks in the district and out of district also. Hence, this case.

6. Considered on the entire material present in the case diary. After due consideration, 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