

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1264 of 2018**

Chandrakant Sahu, S/o. Rajesh Kumar Sahu, Aged About 19 Years, R/o. Village Pahanda, Police Station, Sarangarh, District Raigarh, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Police Station Kanakbira, District Raigarh, Chhattisgarh.

---- Respondent

For Applicant : Mr. Amit Singh, Advocate

For Respondent/State : Mr. Anant Bajpai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****23/10/2018**

1. Apprehending arrest in connection with Crime No.551/2018, registered at Police Station – Sarangarh, Out Post - Kanakbira, District – Raigarh (C.G.) for offence punishable under Section 353, 186, 384, 34, 419 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. It is submitted that the main offence under Section 384 of I.P.C. is not made out according to the evidence present on record as there had been no delivery of the amount. Therefore, it is prayed the applicant may 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. FIR has been lodged against the applicant alleging that the applicant representing him as news correspondent unauthorizedly entered into the school premises and thereafter made some enquiry, it is alleged that this applicant threatened the teachers and the employees of the school that he will defame them by publishing news in electronic media and news paper and made a demand of Rs.10,000/-. Hence, this case.
6. Considered the submissions made and the contents of the case diary. According to the evidence present in the case diary, it is clear that there had been no delivery of money on the basis of the demand made by the applicant. Hence, after due consideration, 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