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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1276 of 2018**

1. Akash Kesharwani, S/o. Ashok Kesharwani, Aged About 26 Years, Occupation - Photocopy Shop, R/o. Hanuman Mandirpara, Mohgaon, Police Station Pandatarai, District Kabirdham Chhattisgarh. At Present Ram Nagar, Ward No. 02 Kawardha District Kabirdham Chhattisgarh.
2. Rammuram Patel, S/o. Sagun Patel, Aged About 50 Years, Occupation - Agriculturist, R/o. Village Boldakala, Police Station Bodla, District Kabirdham Chhattisgarh.
3. Seikh Mohisinuddin, S/o. Sheikh Nijamuddin, Aged About 27 Years, Occupation -Agriculturist, R/o. Ward No.13, Bodla, Police Station Bodla, District Kabirdham Chhattisgarh.
4. Khorram Patel, S/o. Sagunram Patel, Aged About 61 Years, R/o. Village Boldakala, Police Station Bodla, District Kabirdham Chhattisgarh.
5. Dhanukhram, S/o. Dhanaram, Aged About 45 Years, Occupation -Labourer, R/o. Village Boldakala, Police Station Bodla, District Kabirdham Chhattisgarh.
6. Dharam Singh, S/o. Dhanaram, Aged About 54 Years, Occupation Labourer, R/o. Village Boldakala, Police Station Bodla, District Kabirdham Chhattisgarh.
7. Rakesh Kumar Kashyap, S/o. Ramayan, Aged About 30 Years, Occupation- Agriculturist, R/o. Ward No. 6 Bodla, Police Station Bodla, District Kabirdham Chhattisgarh.
8. Juthelram, S/o. Sagunram Patel, Aged About 55 Years, Occupation Agriculturist, R/o. Village Boldakala, Police Station Bodla, District Kabirdham Chhattisgarh.
9. Dhirav Das Panika, S/o. Bandhu Das, Aged About 48 Years, Occupation Agriculturist, R/o. Village Boldakala, Police Station Bodla, District Kabirdham Chhattisgarh.

----Applicants**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station : Bodla, District : Kawardha (Kabirdham), Chhattisgarh

---- Respondent

For Applicants : Mr. Hemant Kesharwani, Advocate

For Respondent/State : Mrs. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board**

23/10/2018

1. Apprehending arrest in connection with Crime No. 160/2017, registered at Police Station – Bodla, District – Kabirdham (C.G.) for offence punishable under Section 147, 186, 332, 353 of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicants, that the applicants have been falsely implicated in this case and no offence is made out on the basis of the evidence present in the case diary. The applicants and others were staging *Dharna* and protest in the office of SDM for the reason that they had not been paid compensation for the construction of the road after demolishing their houses. Totally false FIR has been lodged against them. Therefore, it is prayed the applicants 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. On the date of incident, it is alleged that these applicants along with others staging *Dharna* and *Gherav* in the office of SDM at Bodla. During that *Dharna* and *Gherav*, the applicants and others tried to force their entry into the office, which was obstructed by the police personnel, who were manhandled by the mob, which has resulted into the injuries of the some of the police personnel. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After considering the entire material present in the case diary

and further taking into consideration the facts and circumstances of the case, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicants.

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 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 each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :

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

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge