

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1352 of 2018

- Dinesh Sharma S/o Ramsewak Sharma aged about 37 Years Caste Badhai, R/o Plot No. 1165, Amrai Parisar, Bagesbaniya, Near Shiv Mandir Bhopal Hujur Bhopal M. P., District : Bhopal, Madhya Pradesh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bango District Korba Chhattisgarh, District : Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. D.N. Prajapati, Advocate.

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

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

19/11/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.48/2017 registered at Police Station- Bango, District – Korba(C.G.), for the offence punishable under Sections 294, 506, 147, 330, 386 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. It is submitted that no case is made out against this applicant according to the evidence collected in the investigation against him, hence, it is prayed that he may be

enlarged on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. It is alleged that on the date of incident this applicant and others the employee of Dilip Builders & Constructions Company, alleging that the victim Shyam Ji Singh had committed theft of diesel of the company abused, threatened and assaulted him and made a demand of Rs.25,000/- by putting him under threat. When the brother of the victim brought Rs.15,000/- only then the victim was released from confinement. Hence, this case.
6. Considering on the entire material present in the case diary and the nature of the case, I am of this view that this is a fit case where the applicant should be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the 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 them by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha