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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1341 of 2018**

Harpreet Singh Sandhu S/o Avtar Singh Sandhu Aged About 27 Years R/o C.H.- 596, Tatibandh, Raipur, Police Station- Tatibandh, Tahsil, Civil And Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Gudiari, Tahsil, Civil And Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Ratnesh Kumar Agrawal, Advocate.
For the Respondent/State	:	Ms. Madhunisha Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****30.10.2018**

1. Heard on application under Section 438 of the Code of Criminal Procedure, 1973.
2. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who is apprehending arrest in connection with Crime No. 165 of 2018 registered at police station Gudiari, District Raipur, Chhattisgarh for the offence punishable under Sections 384, 458, 323, 506(B), 147, 148, 149 and 201 of the Indian Penal Code.
3. It is submitted by counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on

the basis of the material placed before the Court by the prosecution. The applicant has no criminal antecedents. Similarly placed co-accused persons have been granted bail by this Court in M.Cr.C. No. 4808 of 2018, vide order dated 13.08.2018. Hence, it is prayed that the applicant be benefited with grant of anticipatory bail.

4. Learned State counsel opposes the bail application and the submissions made in this respect.

5. Heard counsel for both the parties and perused the case diary.

6. As alleged, this applicant alongwith co-accused persons arrived in the office of complainant – Rakesh Sahu, making a demand of Rs.1,00,000/- donation. As the complainant refused, some dispute took place and thereafter, the complainant was assaulted and injured by all the accused persons. Hence, this case.

7. Considering the nature of evidence present against the applicant and taking into consideration the fact that similarly placed co-accused persons have been granted regular bail by this Court, I am of the considered opinion that the applicant deserves to be released on anticipatory bail.

8. Accordingly, the anticipatory bail application is allowed and 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 them 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.'

Sd/-

(Rajendra Chandra Singh Samant)
Judge