

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1348 of 2018

- Narayan Baien S/o Nitai Baien, Aged About 45 Years, Occupation Editor of Johar Chhattisgarh & District Incharge of Kamdhenu Sena (Gao Raksha Samiti), R/o Village Mendharmar Colony, Dharamjaigarh, Police Station and Tehsil Dharamjaigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Dharamjaigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Surfaraj Khan, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

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

30-10-2018

1. Apprehending arrest in connection with Crime No.227/2018, registered at Police Station – Dharamjaigarh, District Raigarh, Chhattisgarh for offence punishable under Section 294, 323, 327 of the IPC, 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 complainant was in fact taking cattle to the slaughter house which was stopped by this applicant and others, because of which, a dispute had taken place and the false FIR has been lodged against this applicant. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that sufficient evidence is present in the case diary and no case is made out for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the complaint filed by complainant Sanjay Kumar Kurre, he and others with consent and approval of the Gram Panchayat were walking the

cattle to another village when they were stopped by this applicant and other co-accused persons. The applicant and co-accused persons alleging that the cattle was being taken for slaughter and in return they demanded money, when the complainant refused he was assaulted and beaten.

6. After considering on the entire material present in the case diary, I am of this opinion that this is a fit case for grant of anticipatory bail to this applicant.

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