

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1380 of 2018

- Suryakant Singh @ Kalu S/o Late Ramkumar Thakur, Aged About 40 Years, R/o Nehru Chowk, Charoda Basti, Police Station - Bhilai-3, Tahsil Patan, District - Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, District - Durg, Chhattisgarh and also through Police Station - Purani Bhilai, District - Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri L.K. Mishra, Advocate.

For Non-applicant/State – Shri Anant Bajpai, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-11-2018

1. Apprehending arrest in connection with Crime No.371/2018, registered at Police Station – Purani Bhilai, District - Durg, Chhattisgarh for offence punishable under Section 341, 327, 34 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 on account of previous enmity with the complainant. The story of demand of money for purchase of liquor is cooked up for the purpose of registering grave offence against the applicant. As no extortion has been committed, hence the offence under Section 327 of the IPC is also not made out. Hence, this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The FIR has been lodged alleging that on 23-09-2018 complainant Dikendra Kumar Sahu was obstructed in his way and a demand of Rs.500/- was made from him for purchasing liquor. The complainant did not pay any

money, because of which, he was assaulted and injured by this applicant and two other accused persons.

6. It is a case of prompt lodging of the FIR, hence, the argument submitted on behalf of the applicant do not find approval at this stage. Hence, I do not feel inclined to allow this application.

7. Accordingly, the application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge