

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.A. No. 1171 of 2017**

Pawan Kumar Kushwaha, S/o Shri Ramkhilawan Kushwaha, Aged about 33 years, R/o Village – Ghuru-Ameri, Police Station – Civil Line, Bilaspur, Civil & Revenue District Bilaspur (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : The Station House Officer, Police Station City Kotwali, Bilaspur, Civil & Revenue District Bilaspur (C.G.)

-----Non-applicant

For Applicant	:	Mr. Paras Mani Shrivastava, Advocate.
For Non-applicant/State	:	Mr. Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****22/03/18**

1. The applicant has filed this application under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail apprehending his arrest in connection with Crime No.390/2017, registered at Police Station City Kotwali, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 294, 506, 452, 427, 448/34 of the I.P.C.
2. Case of the prosecution in brief is that the applicant along with other co-accused entered into the house of the complainant, abused and damaged the property of the complainant and thereby committed the aforesaid offence.
3. Learned counsel for the applicant submits that the applicant has not

committed any offence, he has been falsely implicated in crime in question and the counter case has also been filed against him, therefore, anticipatory bail may be granted to the applicant.

4. On the other hand, learned counsel appearing for the State would oppose the bail application.

5. I have heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of the offence and the fact that the applicant was earlier granted bail in Crime No.390/2017 on 27.09.2017. Thereafter, the aforesaid offence is said to have been committed by the applicant on 26-09-2017 and he has violated the terms and conditions of bail order dated 27-09-2017, I do not consider it as a fit case for grant of anticipatory bail. Accordingly, the anticipatory bail application is rejected.

Sd/-
(Sanjay K. Agrawal)
Judge