

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case (A) No.1436 of 2018**

- Shailesh Tiwari S/o Late Sunderlal Tiwari Aged About 44 Years
R/o Near Shubham Nursing Home Ganjpara, Tehsil And District
Durg Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station Chavni Tehsil And District Durg Chhattisgarh

---- Respondent

For Applicant	: Shri BP Singh, Advocate
For respondent/State	: Shri Vivek Sharma, Govt. Advocate

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****13.11.2018**

1. The applicant has preferred this bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.547/2018, registered at Police Station Chhawani, Distt. Durg (CG) for the offence punishable under Sections 384, 386, 506, 34 of the Indian Penal Code.

2. As per the case of the prosecution, allegation against present applicant is that one Tapan Sarkar is involved in betting of IPL Cricket Match and asked the complainant to invest money. The applicant is involved on the general statement of participation in demanding money from the complainant.

3. Learned counsel for the applicant submits that allegation against the present applicant is vague in nature and no recovery

is made from him, therefore, benefit of anticipatory bail may be extended to him.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. Looking to the fact that no amount is seized from the applicant and further looking to the fact that he has been involved on the basis of general statement, the benefit of anticipatory bail should be extended to him.

6. 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 a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned investigating officer. The applicant shall also abide by the following conditions:-

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that he 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 any police officer.
- (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and

- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial;
- (v) that in case of change of address he will inform new address to investigating agency.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE