

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1484 of 2018

- Manishankar Pandey S/o Late Shri R.K. Pandey, Aged About 49 Years, R/o- Maharana Pratap Nagar, Tiphra, Bilaspur, P.S. Sirgitti, Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Civil Line Bilaspur, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri A.K. Yadav, Advocate.

For Non-applicant/State – Shri Vijay Bahadur Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-11-2018

1. Apprehending arrest in connection with Crime No.135/2017, registered at Police Station – Civil Line, Bilaspur, Chhattisgarh for offence punishable under Section 143, 149, 186, 353 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 incident is of 23-02-2017 and till date no attempt was made to arrest the applicant. The applicant is member of a political party and as the election is ahead, for the ulterior motive the police is now after the applicant to arrest and detain him. No case is made against him, according to the offence present in the case diary. 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.
4. Heard learned counsel for the parties and perused the case diary.
5. It is alleged that on 23-02-2017 the applicant along with political leaders and other co-accused persons made a Gheraw of the bungalow of Minister Amar Agrawal. When the police personnel present on duty tried to stop them, they argued with them and manhandled them by using force.

6. Considered on the entire material present in the case diary. As there is no specific mention that this applicant was the person who manhandled with the policemen, I feel inclined to allow this application.

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