

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1563 of 2018

- Kashiram Ratre S/o Late Shri Badri Prasad Ratre, Aged About 37 Years, R/o Ward No. 09, Shivnath Road, Omnagar, Jharhabhata, Police Station - Civil Line, District - Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

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

---- Non-applicant

For Applicant – Shri K.P.S. Gandhi, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-12-2018

1. Apprehending arrest in connection with Crime No.607/2015, registered at Police Station – Civil Line, Bilaspur, District - Bilaspur, Chhattisgarh for offence punishable under Section 186, 353, 294, 323 & 506 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. Apart from the offence under Section 353 of the IPC, rest of the offences registered against the applicant are bailable in nature. No case is made out 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.
4. Heard learned counsel for the parties and perused the case diary.
5. It is alleged that on the date of incident, 30-09-2015 because of power cut due to ongoing repair in the electricity line this applicant raised dispute with complainant Raj Kumar Chouhan, Junior Engineer in CGSPDCL. It is alleged that this applicant acted in deterring the complainant in performing of his duties by stopping him, threatening him and thrashing him. Hence, this case.

6. Considered on the entire material present in the case diary. Apart from the offence under Section 353 of the IPC, rest of the offences registered against the applicant are bailable in nature, therefore, the applicant has apprehension of being arrested in this case. Hence, 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