

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C.(A). No. 240 of 2019**

Anil Sao, S/o. Mahendra Sao, Aged About 25 Years, R/o. Village Kudekela, Police Station And Tahsil Gharghoda, District Raigarh Chhattisgarh Civil and Revenue District Raigarh Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Officer In Charge, Police Station Dharamjaigarg, Raigarh District Raigarh Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ashutosh Mishra, Advocate
For Respondent/State	: Mr. Lav Sharma, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****01/03/2019**

1. Apprehending arrest in connection with Crime No.227/2018, registered at Police Station – Dharamjaigarh, District – Raigarh (C.G.) for offence punishable under Section 327, 294, 506, 323 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary. Name of this applicant has not appeared in the FIR. Two other co-accused persons namely Narayan Baien and Ashok Mahant have been granted anticipatory bail by this Court and this

applicant has a better case. Therefore, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the FIR lodged complainant Sanjeev Kurre was walking cattle from one village to another. He was stopped by main accused Ashok Bhagat and his associates, who alleged that he is taking the cattle for slaughter and in return they demanded money, when the complainant refused, he was assaulted and beaten.
6. Considered the submissions made and the contents of the case diary. Name of this applicant has not appeared in the FIR and similarly placed co-accused persons have been enlarged on anticipatory bail by this Court, hence for this reason, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram