

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 273 of 2019

- Jai Agrawal S/o Shivdatt Agrawal, Aged About 42 Years, R/o Village- Ward No.3, Naila, Thana And Tahsil- Janjgir, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District- Magistrate, District- Janjgir- Champa, Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sunil Otواني, Advocate.

For Non-applicant/State – Shri Adil Minhaj, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-03-2019

1. Apprehending arrest in connection with Crime No.29/2019, registered at Police Station – Janjgir, District- Janjgir- Champa, Chhattisgarh for offence punishable under Section 3/7 of the Essential Commodities Act, Section 285 of the IPC, Section 3(1) a and 7(1) c of the Liquefied Petroleum Gas (Regulation of Supply and Distribution) Order 2000, 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. This applicant had in good faith allowed his neighbouring shopkeepers to store their gas cylinders in the empty space of his shop, which caught fire. The applicant has suffered all the loss as his business of cycle shop is now ruined. There is no other allegation that the applicant was doing any sort of business of the gas cylinders which were found inside his shop. Therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application and submits that 25 numbers of gas cylinders of various company were found in the shop of the applicant after his shop is burnt and that has not been

explained by the applicant. Therefore, the application may be rejected.

4. Heard learned counsel for the parties and perused the case diary.

5. On the date of incident the shop of the applicant caught fire and after distinguishing of fire the police has made seizure of 25 numbers of gas cylinders from that place itself. Hence, this case.

6. After considering on the material present in the case diary, I am of this opinion that this is a fit case for grant of anticipatory bail to the applicant.

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