

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.A. No. 498 of 2019

- Ankush Singh S/o Late Madhunarayan Singh, Aged About 27 Years, R/o Ward No. 3, Ganjipara, Khairagarh, Police Station And Tahsil Khairagarh, District- Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, Through: The Police Station Khairagarh, District- Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Rakesh Pandey, Advocate.

For Non-applicant/State – Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

09-04-2019

1. Apprehending arrest in connection with Crime No. 90/2019, registered at Police Station – Khairagarh, District- Rajnandgaon, Chhattisgarh for offence punishable under Section 294, 458 and 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 no case is made out for commission of offence under Section 458 of I.P.C., as there is no material in evidence in this respect. Therefore, the applicant has the apprehension of arrest. 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. According to the F.I.R. lodged on the date of incident, this applicant came to the door of the complainant, abused her and threatened her but the complainant did not open her door. Therefore, the applicant repeatedly knocked the door of the house of the complainant. Hence this case.

6. After considering on the nature of the allegations and the material in evidence regarding the offence under Section 458 of I.P.C., 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