

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 519 of 2019

- Ashok Kumar Sonwani, S/o Shri Devdatt Ram, Aged About 41 Years, R/o Village Bhadwahi, Police Station & Tahsil Udaipur, District-Surguja Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Udaipur, District Surguja Chhattisgarh.

---- Respondent

For Applicant : Mr. Akath Kumar Yadav, Advocate.

For Respondent : Mr. Samdarsh Nirankari, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

22/04/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.34/2017 registered at Police Station-Udaipur, Surguja(C.G.), for the offence punishable under Sections 186, 332 & 506 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant. The applicant alongwith other villagers had been to the office of complainant Mahendra Kumar Arya, Junior Engineer of CGSPDCL to complain about excessive bills of electricity. No such incident has taken place as it is complained off. The applicant is an employee in the Secretariat at Raipur, and he has not committed any

offence, hence, it is prayed that application be allowed.

3. Learned State Counsel opposes bail application and submissions made in this respect. It is submitted that there is clear allegation against the applicant that he used his official position of a public servant to threaten and manhandle the complainant and others present in the office, therefore, he is not entitled for grant of anticipatory bail.
4. Heard both the parties and perused the case diary.
5. It is alleged that on the date of incident the applicant alongwith other villagers came to the office of complainant and complained that excessive electricity bills have been issued to them. He also threatened and manhandled the complainant and others.
6. Considered the nature and circumstances of this case, I am of this opinion that this is a fit case where applicant should be granted anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and 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 his executing a personal bond in the 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 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha