

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 637 of 2019

- Nitin Arun Jadhav, S/o Arun Pundlik Jadhav, Aged About 23 Years, Occupation- Businessmen, R/o Housing Hoard, Sejbahar, L.I.G.- 1230, Post Office-Raipur, Police-Station-Mujgahan, Raipur, Tahsil & District-Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh through The Station House Officer, Police Station- Mujgahan, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Shivendu Pandya, Advocate.
For Respondent : Mr. Aditya Sharma, Panel Lawyer.

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

07/05/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.132/2019 registered at Police Station-Mujgahan, Raipur, District-Raipur(C.G.), for the offence punishable under Sections 323, 427, 452, 506/34 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 this applicant. Apart from Section 452 of IPC rest of the offences registered are bailable in nature, which are the main offences, hence, it is prayed that he may be granted anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The complainant had borrowed Rs.5000/- from the applicant and had not returned the same after the time duration agreed between them, therefore, the applicant arrived in the house of the complainant making demand for the return of the money to him. At that time he abused, threatened, assaulted the complainant and also damaged the property inside the house and outside the house causing monetary loss to him. Hence, this case.
6. Considering the material present in the case diary and after due consideration, I feel to allow the application to this applicant.
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 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha