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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 702 of 2019**

Loknath Patel S/o Ramlal Patel Aged About 40 Years R/o Village Timarlaga, Tahsil Sarangarh, District- Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through- The Station House Officer, Police Station- Sarangarh, District- Raigarh, Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent**And****M.Cr.C.(A) No. 710 Of 2019**

Haricharan Patel S/o Late Sitaram Patel Aged About 42 Years R/o Village Timarlaga, Tahsil Sarangarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Officer, Police Station Baradwar, District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh.

---- Respondent**And****M.Cr.C.(A) No. 740 Of 2019**

Haricharan Patel S/o Late Sitaram Patel Aged About 42 Years R/o Village Timarlaga, Tahsil Sarangarh, District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Officer, Police Station Sarangarh Raigarh.Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent**And****M.Cr.C.(A) No. 725 Of 2019**

Loknath Patel Ramlal Patel, Aged About 40 Years R/o Village- Timarlaga, Tahsil Sarangarh, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Officer, Police Station Sarangarh, District Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Surfaraj Khan, Advocate.
For the Respondent/State	:	Shri Adil Minhaj, P.L and Smt. Smita Jha, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

15.05.2019

Heard.

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications under Section 438 of Cr.P.C. filed by the applicants for grant of anticipatory bail, who are apprehending arrest in connection with Crime Nos.195 and 206 of 2019 registered at Police Station – Sarangarh, District Raigarh for the offences punishable under Sections 186, 332, 353, 307, 294 and 506/34 of the Indian Penal Code and Section 5 of the Explosive Substances Act, 1908.
2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case only for the reason that the complainant in this case is a probationary IAS Officer. No case is made out against these applicants in both crime numbers that have been registered against them. Names of these applicants have not appeared in the FIR lodged. The main accused in this case is Amrit Patel. The applicants are being roped only for the reason that they are related to him and also for the reason that the complainant is a man of high profile. Hence, it is prayed that they may be benefited with grant of anticipatory bail.

3. Learned counsel for the respondent/ State submits that the investigation is at a very initial stage and there is possibility of collection of evidence therefore, the arrest and interrogation of these applicants is very much essentially required in these cases. Hence, for these reasons, they are not entitled for grant of anticipatory bail.

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

5. According to FIR lodged, complainant – Mayank Chaturvedi who is Additional Collector, Raigarh was with his team searching for cases of illegal mining. When the complainant team arrived on the spot, they heard the sound of machines and found that illegal mining was in process. One Amrit Patel confronted the search party, challenged, abused, threatened and deterred the complainant and search party from performing their official duties. In the same incident, he was also made an attempt on the life of the complainant with the help of these applicants by dropping the bucket of JCB over the official vehicle, from which the complainant escaped minutely. Thereafter, the complainant and others were manhandled by Amrit Patel and his associates and injuries were caused to the complainant and others.

6. Considering that the police has not been able to make any progress in investigation so far because for the reason that no arrest has been made so far and looking to the possibility of collection of evidence which may rule in or rule out the applicants in this case, it is too early to conclude as to what is the case against the applicants. Therefore, I am not inclined to allow these applications.

7. Accordingly, the bail applications filed by the applicants in all the cases under Section 438 of the Cr.P.C. are rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi