

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 980 of 2019**

1. Dhanesh Kumar Sahu S/o Birendra Kumar Sahu Aged About 32 Years R/o Ward No. 26, Behind Bunkar Sangh, Santarabadi, Durg, District Durg Chhattisgarh.
2. Dinesh Kumar Sahu S/o Gend Lal Sahu Aged About 33 Years R/o Vijay Nagar, Durg, District Durg Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through The District Magistrate Durg, District Durg Chhattisgarh.

---- Respondent

For Applicant	:	Shri T.K. Jha, Advocate.
For Respondent.	:	Shri B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

08/08/2019

1. This is the first application filed by the applicants under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, who are apprehending their arrest in connection with Crime No. 80/2019, registered at Police Station Mohan Nagar, Durg (CG) for the offence punishable under Sections 294, 506-B, 408, 420, 34 of the IPC.
2. Case of the prosecution is that, complainant lodged a report against the applicants that the applicants and the complainant were doing business of selling of clothes and contract was made for the work. A money dispute was arisen between them and applicants did not deposit the money in the account of firm of the complainant and when the complainant asked them to return the amount they abused him and threatened to death.
3. Learned counsel for the applicants submit that the applicants are innocent and have been falsely implicated in this case. He further submits that the

complainant forcefully entered the godown and snatched the key and assaulted the applicants for which a complaint was also lodged by the applicants. He prays for releasing the applicants on anticipatory bail.

4. Counsel for the State, however, opposes the application for anticipatory bail.
5. I have heard learned counsel both the parties and perused the case-diary.
6. Considering the totality of the facts, in particular, the nature of allegations against the applicants and the applicants have filed complaint against the complainant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application filed under Section 438 Cr.P.C. is allowed.
7. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on each of them furnishing a personal bond in the sum of Rs. 25,000/- with one surety each for the like sum to the satisfaction of the officer arresting them. They shall abide by all the terms and conditions laid down in Section 438 (2) of the Code of Criminal Procedure.
8. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE