

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 992 of 2019

- Amardeep Kerketta S/o Ruben Kerketta, Aged About 21 Years, Caste - Uraon R/o Village Ghatmunda, Police Station Kunkuri, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station - Kunkuri, District - Jashpur Chhattisgarh., District : Jashpur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Ajit Singh, Advocate.

For Non-applicant – Shri Neeraj Pradhan, Panel Lawyer.

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

08-08-2019

1. Apprehending arrest in connection with Crime No.50/2019, registered at Police Station – Kunkuri, District- Jashpur, Chhattisgarh for offence punishable under Section 452, 294, 323, 506-B 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 the applicant has been falsely implicated in this case. The applicant and the complainant both were acquainted to each other and the applicant was a frequent visitor of her house. However, on the date of incident because of some quarrel that has taken place, this false FIR has been lodged. In this case offence under Section 452 of the IPC is not at all made out and rest of the offences registered are bailable. Therefore, 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 complaint lodged by complainant Radhika Bai, the applicant earlier used to visit her and expressed his liking for her. Thereafter, the complainant got married to other person. On the date of incident when the complainant was at home the applicant arrived there and he raised this issue

that he wanted to marry the complainant despite that she has married somebody else and thereafter he abused and assaulted the complainant and her husband with a knife causing simple injury to them.

6. As it appears that the applicant was not unwell-come person in the house of the complainant and other offences apart the offence under Section 452 of the IPC are bailable, therefore, 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