

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1082 of 2019**

- Nishant Gupta S/o Ramesh Gupta Aged About 28 Years R/o Deviganj Road, Ambikapur, District Surguja Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Ambikapur, District Surguja Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant	:	Shri Keshav Prasad Gupta, Advocate.
For Respondent.	:	Shri B.L. Sahu, PL

Hon'ble Smt. Justice Rajani Dubey
Order on Board

09/08/2019

1. This is the first application filed by the applicant under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail, who is apprehending his arrest in connection with Crime No. 221/2019, registered at Police Station Ambikapur, District Surguja (CG) for the offence punishable under Sections 452, 294, 506, 323 of the IPC and Section 3 (1) (v) (vi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. Case of the prosecution is that, complainant lodged a report against the applicant that when he was on inspection in the University department, the applicant entered into M.Sc. Department and pressurized him for valuation of the answer sheets. The complainant when denied doing so then the applicant abused him in the name of caste and threatened him to death.
3. Learned counsel for the applicant submit that the applicant is innocent and he has been falsely implicated in this case. No case is made out

against the applicant. The applicant is student leader of Vidhyarthi Parishad. He prays for releasing the applicant 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 applicant and the fact that applicant is a student, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application filed under Section 438 Cr.P.C. is allowed.
7. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him. He 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