

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1199 of 2019**

- Jeevrakhan Das Manikpuri, Aged About 50 Years R/o Pipra, S/o Late Shri Thandaram, Police Station Nawagarh, Tahsil Nawagarh, District : Janjgir-Champa, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through District Magistrate, Janjgir, District : Janjgir-Champa, Chhattisgarh

---- Respondent**MCRCA No. 1336 of 2019**

1. Rameshwar Das Mahant, Aged About 38 Years S/o Late Dildas R/o Village Tulsi, Police Station Nawagarh, District : Janjgir-Champa, Chhattisgarh
2. Dayaludas Mahant Aged About 53 Years S/o Late Radheshyam Mahant R/o Village Kachanda, Police Station Nawagarh, District : Janjgir-Champa, Chhattisgarh
3. Jageshwar Das Mahant Aged About 39 Years S/o Late Angan Das R/o Village Pipara, Police Station Nawagarh, District : Janjgir-Champa, Chhattisgarh
4. Bhajan Das Aged About 60 Years S/o Late Shiv Prasad Mahant R/o Village Khisora, Police Station Nawagarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants**Versus**

- State of Chhattisgarh Through The District Magistrate Janjgir, District : Janjgir-Champa, Chhattisgarh

---- Respondent

For Applicant in MCRCA No.1199/19 : Shri Hemant Kesharwani, Adv.

For Applicants in MCRCA No.1336/19: Shri Bhuneshwar Singh

Rajput, Advocate on behalf of

Shri Vivek Singhal, Advocate

For Respondent/State

: Shri Anil Tripathi, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board**

20/08/2019

1. Heard.
2. As these two applications (MCRC No. 1199/2019 and MCRC No. 1336/2019) are arising out of the same crime number, they are being disposed off by this common order. These are the two applications filed under Section 438 of the Cr.P.C. filed by the applicants for grant of anticipatory bail, who are apprehending arrest in connection with Crime No.149/2019 registered at Police Station – Nawagarh, District – Janjgir-Champa, C.G. for the offence punishable under Sections 384, 34 of the Indian Penal Code and Section 07 of the Civil Right Protection Act, 1955.
3. As per the prosecution case, the complainant Dharam Das Sahu lodged the report that prior to six years he performed inter caste marriage with Seema Sahu. After his marriage the Mahant Samaj boycotted the complainant and his family, the complainant approached the member of the Mahant Samaj. The Mahant Samaj demanded Rs. 1,10,000/- and Rs.1,30,000/- as fine from the complainant. The complainant deposited some part of the fine amount and when he reached to the office of Mahant Samaj for demanding certificate to take him back in the Samaj, the Members who are the accused/applicants in this case refused to give him the said certificate after obtaining the fine amount. Thereafter, the FIR was lodged by the complainant against the accused/applicants and offence has been registered under Sections 384, 34 of the IPC and Section 07 of the Civil Right

Protection Act, 1955.

4. Learned counsel for the applicants submit that the applicants have been falsely implicated in this case. He submits that the applicants have not demanded any money from the complainant. He further submits that the applicants have no criminal antecedent and if they are arrested in the present case, they will suffer irreparable loss. Hence, it is prayed that the applicants are entitled for grant of anticipatory bail.
5. On the other hand learned counsel for the State opposes the bail application.
6. Heard counsel for the parties and perused the case diary.
7. Looking to the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application is allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the Officer arresting them on executing a personal bond in the sum of Rs.25,000/- (to each) with one surety in the like sum to the satisfaction of the concerned Investigating Officer. They shall also abide by the following conditions:
 - i. that the applicants shall make themselves available for interrogation before the Investigating Officer as and when required;
 - ii. that the applicants shall not, directly or indirectly, make inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the

Court or to any police officer;

- iii. that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge