

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1225 of 2019

- Govinda Jangde S/o Shri Rajendra Kumar Jangde, Aged About 26 Years, R/o Village Kudrabod, Thana - Jaijaipur, District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- The State of Chhattisgarh, Through the Station House Officer, Police Station Jaijaipur, District Janjgir-Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- Non-applicant

For Applicant – Shri Sunil Sahu, Advocate.

For Non-applicant/State – Shri Roshan Dubey, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-09-2019

1. Apprehending arrest in connection with Crime No.106/2019, registered at Police Station – Jaijaipur, District Janjgir-Champa, Chhattisgarh for offence punishable under Section 186, 332 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 regarding assaulting the police officials and he has not been identified as the person who has assaulted. Therefore, it is prayed that the applicant may be granted anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that there is evidence present against this applicant, therefore, no exceptional case is made out in favour of this applicant. Hence, the application may be rejected.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, an accident had occurred, in which brother of the applicant was injured, subsequent to which police were called through Dial 112. The police party arrived late and in the meanwhile the injured

person died on the spot, therefore, it is alleged that because of this anguish this applicant assaulted the police officials. However, he was not directly identified by any police official, but, on the basis that this applicant was named by some of the persons present, he has been arrayed as accused in this case.

6. Considering on the facts and circumstances of this case in which even if the incident is to be taken as it is, it is found that the applicant had anguish and grief because of the death of his brother in the road accident, 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