

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1418 of 2019

- Bheem Sen Dhritlahre S/o - Late Dular Singh Aged About 47 Years
R/o - Karpipali Powa Bashna Jhar, Tahsil Kharsiya, District Raigarh
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station
- Kharsiya, District Raigarh Chhattisgarh

---- Respondent

For Applicant	: Mr. Atul Kumar Kesharwani, Advocate.
For Respondent/State	: Mr. Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

21/11/2019

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 335/2019, registered at Police Station Kharsiya, Distt. Raigarh (C.G.) for the offence punishable under Sections 186, 294, 323, 353 & 506 of the IPC.
2. As per prosecution story, on 13.08.2019, *Vishesh Gram Sabha* was organized in village Karpipali in which the applicant was presiding as Chairman. Since, the complaints were filed by various persons that they have not been given wages for the work done by them, therefore, being a chairman, the applicant enquired the register of the office and taken it to him. The complainant who is the *Rojgar Sahayak* namely Suresh Kumar Khadia was threatened the applicant and committed *Marpeet* with him. On the basis of report lodged by

Suresh Kumar Khadia, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present. He further submits that except offence under Section 353 of the IPC, all offence are bailable in nature. The applicant being a chairman, only enquired the office register and later on he has submitted the same. Since, the irregularities were committed by the complainant and others, therefore, for saving themselves, they have lodged a false report against the applicant. He finally submits that the applicant is a reputed person of his society, he is permanent resident of above mentioned address and there is no chance of his absconding, therefore, he may be granted benefit anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on 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 and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. 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.

Sd/-

(Arvind Singh Chandel)
Judge