

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1492 of 2019**

- Ravi Shukla S/o Shiv Prasad Shukla, Aged About 31 Years R/o Type III/ 09, Kirandul, Occupation Deputy Dagpal At Post Office Kirandul Police Station Kirandul, District Jagdalpur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Kirandul, District Dantewada, Chhattisgarh.

---- Respondent

For Applicant	: Shri Soumitra Kesharwani, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**06/11/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 53/2019 registered at Police Station Kirandul, District – Dantewada, (C.G.) for the offence punishable under Sections 452, 294, 506, 323 of Indian Penal Code.
2. As per the prosecution story, Complainant Harikishan Yadav is posted as Branch Manager at Dadampal. Present Applicant is posted as Deputy Dakpal at Sub Post Office Kirandul. Allegedly, on 20.08.2019 at about 8:50 pm, present Applicant on the influence of liquor went to the house of Complainant and started quarrel with him. Applicant also abused him and committed mar-pit with the Complainant. Thereafter, report was made by the Complainant and on the basis of the said, offence has been registered.
3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present

case due to dispute with the Complainant. *Prima facie*, no case under Section 452 of I.P.C. can be made out against Applicant. He further submits that, the house in question was allotted to one Radhe Mohan Nag and at the time of incident Radhe Mohan had organized a small party and during that party, some dispute arose between Applicant and Complainant. It is further submitted that except offence under Section 452 of I.P.C., all other offences are bailable. Applicant is a government employee and no custodial interrogation is required. Therefore, present Applicant may be granted benefit of anticipatory bail.

4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, and further considering the facts and circumstances of the case, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the present bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :
 - (i) He 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 from disclosing such fact to the Court,
 - (ii) He shall not act in any manner which will be

prejudicial to fair and expeditious trial, and

- (iii) He 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