

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1547 of 2019**

- Vinod Prasad Gupta S/o Ramlakhan Sao Aged About 63 Years R/o Ward No. 03, Ganpati Store Main Road Jashpur, Police Station Jashpur, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Jashpur, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Rohitsava Singh, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****09/12/2019**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 229/2019 registered at Police Station Jashpur, District – Jashpur, (C.G.) for the offence punishable under Sections 294, 189, 353, 506, 34 of I.P.C.
2. According to the case of the prosecution, complainant Subedar Sourabh Chandrakar, who was posted as Traffic Incharge at Jashpur, lodged a report alleging therein that during patrolling, he found some wrongly parked vehicles near shop of the applicant. When complainant inquired about the same, then a dispute arose between complainant and present applicant and his sons. It is alleged that

applicant and his sons argued with the complainant, used obscene words to him and hence, interrupt him while performing official duty. 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. He further submits that apart from offence 353 of I.P.C., all other offences are bailable. Virtually, complainant himself first misbehaved with the applicant, thereafter, dispute arose with the sons of the applicant. He further submits that co-accused persons, i.e. sons of the applicant have already been granted bail. Thus, it is prayed that, applicant may also 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, considering the facts and circumstances of the case, evidence collected by the prosecution and particularly considering the fact that applicant is an old person aged about 63 years old, main accused persons are his sons, and they have already been granted bail, therefore, 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 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