

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****M.CR.C.(A) No. 1582 of 2018**

Jagannath Verma, S/o. Late Shri Rameshwar Verma, Aged About 47 Years, Profession - Service, Sub Divisional Officer (Revenue), Pratappur, Police Station Pratappur, District - Surajpur, Chhattisgarh.

---- Applicant**Versus**

1. State Of Chhattisgarh, Through- District Magistrate, Surguja, Chhattisgarh.
2. Suman Khakha, S/o. Shri Imeel Khakha, Aged About 50 Years, R/o.- Village Sandbar Chitkipara, Police Station -Ambikapur, District- Surguja, Chhattisgarh.

---- Respondents

For Applicants : Mr. Sunil Otvani, Advocate

For Respondent/State : Mr. Mahesh Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****11/02/2019**

1. The applicant is apprehending arrest in connection with Criminal Case No.476/2017, pending before the Court of Judicial Magistrate First Class, Ambikapur, District – Surguja for the offence punishable under U/s.365, 368, 452, 506 Part-II read with Section 34 of the Indian Penal Code, has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant suggesting the commission of offence as

alleged in this case. Similarly placed co-accused persons have been enlarged on anticipatory bail by this Court. Therefore, it is prayed the applicant may also be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the applications for grant of bail and the submissions made in this respect.
4. Respondent No.2 unrepresented though notices have been issued long before, which may be deemed as served.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. Respondent No.2 has filed a compliant alleging that this applicant along with other co-accused persons conspired and abducted her and then kept in confinement inside the jungle for about one year. After The complainant some how made his escape and then lodged the FIR. The police has filed closure report on that case. Subsequent to which, the complainant has filed private complaint before the Court in which the trial Court has taken cognizance.
7. After considering on all the material present on record and further taking into consideration this fact that similarly placed co-accused persons have been enlarged on anticipatory bail by this Court itself, hence for this reason, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
8. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
9. 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 trial Court. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram