

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1784 of 2019

- Tekalal Patel S/o Shri Amritlal Patel, Aged About 43 Years
Occupation- Lecturer (Government Employee) R/o Village Dolesara
Tamnar, Police Station And Tahsil Tamnar, District Raigarh
Chhattisgarh

---- Applicant

Versus

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

---- Respondent

For Applicant	: Mr. Sanjay Agrawal, Advocate.
For Respondent/State	: Mr. Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

05/12/2019

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. 187/2019, registered at Police Station Tamnar, Distt. Raigarh (C.G.) for the offence punishable under Sections 147, 148, 153, 186, 294, 323, 353, 332, 506 & 109, 394 & 120B of the IPC.
2. As per prosecution story, on 27.09.2019, a meeting of public hearing was organized at Village Dolesara regarding environmental knowledge, where the police authorities were engaged for protection and maintaining peace, allegedly, at the time of meeting some local N.G.O.'s members obstructed the meeting and they deterred the

complainant from discharge his duty. On 28.09.2019, report has been lodged by the complainant in this regard. On the basis of said report, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated by the complainant to pressurize him in the present case. Allegedly 40-50 persons intervene in the meeting to falsely implicating the applicant. He further submits that the incident was occurred on 27.09.2019 at about 5:30 PM and the report was lodged on 28.09.2019 at about 7:15 PM. The complainant is the police personnel and he has not lodged the complaint immediately after the incident. Hence, it is prayed that the applicant may be granted benefit of 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 and perused the case diary minutely.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced learned counsel appearing for the parties and further considering the fact that the complainant is the police personnel and he has lodged complaint after 24 hours of the incident, without further commenting on other merits of the case, in my considered opinion, the present applicant is entitled to grant of anticipatory bail.
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 solvent 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.

9. Certified copy today.

Sd/-

(Arvind Singh Chandel)
Judge