

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1696 of 2018

- Prahlad Kumar Jain S/o Shri Subhaschand Jain aged about 44 Years
R/o Director, Mittal General Store, Main Road Ward No. 4,
Dallirajhara , Police Station-Rajhara, Tahsil-Doundi, District-Balod,
Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station
Dallirajhara ,District-Balod Chhattisgarh.

---- Respondent

For Applicant : Ms. Anamika Mishra, Advocate.
For Respondent : Mr. A. N. Bhakta, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

07/01/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No.03/2018 registered at Police Station-Dalirajhara, Civil & Revenue District – Balod (C.G.), for the offence punishable under Sections 294, 323 & 506/34 of the Indian Penal Code and Section 3(1)(10) and 3(1)(D) of the Scheduled Caste & Scheduled Tribes(Prevention of Atrocities) Act.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made against the applicant for the offence under Sections 3(1)(10) & 3(1)(D) of the

Scheduled Caste & Scheduled Tribes(Prevention of Atrocities) Act. Similarly placed co-accused person Manoj Jain has been granted anticipatory bail by this Court in MCRCA No.1537 of 2018 vide order dated 4.12.2018. Hence, it is prayed that this applicant may also be enlarged on anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. It is alleged that on the date of incident, the complainant raised dispute regarding supply of faulty Wi-Fi device from the shop of this applicant because of which both the parties quarreled and then this applicant abused, threatened and thrashed the complainant causing him simple injuries.
6. After considering on all the material present in the case diary, it appears that the offence under Atrocities Act that have been added is a later on development regarding which the investigation has further required to be done. Hence, under these circumstances, I am of this view that this is a fit case where the applicant should also be enlarged on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. 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 them by the said Court till disposal of the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge