

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 250 of 2020**

1. Anjeer Kumar Ratnakar S/o Shri Dau Ram Ratnakar Aged About 35 Years R/o Village Barbhata, Police Station Navagarh, District- Janjgir-Champa, Chhattisgarh
2. Sanat Ratnakar S/o. Shri Saheblal Ratnakar Aged About 35 Years R/o Village Barbhata, Police Station Navagarh, District- Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Acting Through Police Station Shivrinarayan, District- Janjgir-Champa, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri K.A. Ansari, Sr. Advocate with Shri R.L. Bajpai, Adv.
 For Non-Applicant : Shri Gagan Tiwari, Deputy Govt. Advocate.

Proceeding Through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****10/08/2020 :**

1. The applicants have preferred this application for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.27/2020, registered at Police Station Shivrinarayan, District Janjgir-Champa for offences punishable under Sections 294, 323, 436, 452, 506-B/34 of the IPC and Sections 3 & 4 of the Protection of Public Property Act, 1984.
2. As per the prosecution case, a mob led by the present applicants tried to forcibly close the Government liquor shop and thereafter set ablaze and looted the Government property valued at Rs.12,54,000/- which includes cash amount of Rs.2,50,800/-.

3. Learned counsel for the applicants would submit that applicant No.1 is the son of former MLA, therefore, due to political rivalry, he has been falsely implicated. He has also highlighted the objection raised by the villagers at different point of time seeking closure of liquor shop, which is right in front of the Government Girls Higher Secondary School. It is also argued that it is nearly impossible that such an incident can happen at about 11.25 am in a broad daylight.
4. Learned State Counsel would vehemently oppose the prayer for grant of anticipatory bail to the applicants.
5. The bail application is supported by several documents which are in the nature of representation by the girl students of the Government Higher Secondary School seeking closure of the liquor shop in front of their school. It is also to be seen that the incident has happened in a broad daylight, therefore, it cannot be ruled out that the applicants who were leading the agitation for closure of the shop have been framed or that the incident is exaggerated.
6. Having considered the entire fact situation of the case, this Court is inclined to extend the benefit of anticipatory bail to the applicants.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) they shall not influence the witnesses during trial.
 - (ii) they shall make themselves available for interrogation by a police officer as and when required;
 - (iii) they 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 facts to the Court or to any police officer.

Sd/-
Judge
(Prashant Kumar Mishra)