

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 304 of 2020

1. Ghanshyam Manhar S/o Hulas Ram Manhar Aged About 52 Years  
R/o Village Ranisagar, Sarangarh, Police Station And Tahsil  
Sarangarh, District Raigarh Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police  
Station Kosir, District Raigarh Chhattisgarh

---- Respondent

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For Applicant                      Mr. Raghvendra Pradhan, Advocate

For Respondent /State        Mr. Gagan Tiwari, Dy. Govt. Advocate

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**Proceedings through Video Conferencing**

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

13/8/2020

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.13/2020, registered at Police Station Kosir, District Raigarh, for offence punishable under Section 147, 341, 294, 447 & 379 of the Indian Penal Code.
2. Applicant has allegedly taken away empty tractor bearing registration No.CG-13-Y-4727 belonging to Umesh Kumar Mahilange from the premises of police station Kosir, District Raigarh, after the same was seized by the Mining Department and handed over in possession of the concerned police station.
3. Learned counsel appearing for the State, *per contra*, would oppose the bail application. He would argue that the applicant being an influential politician of the area forcibly took away the tractor

from the premises of the police station, therefore, he is not entitled to be released on anticipatory bail.

4. Having considered the material it appears it is impossible for any person to forcibly take away a vehicle like tractor from the possession of the police authorities and that too when the vehicle was lying in the premises of the police station, this Court is inclined to release the applicant on anticipatory bail.
5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
  - (a) he shall make himself available for interrogation by a police officer as and when required;
  - (b) 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 facts to the Court or to any police officer.
  - (c) he shall not influence the witnesses during pendency of the trial.

Sd/-  
(Prashant Kumar Mishra)  
Judge

Gowri