

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 450 of 2020

Kasim S/o Nazumudin Aged About 25 Years R/o Mahuvadih, Police Station
Sankargarh, District Balrampur-Ramanujganj Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Sankargarh, District Balrampur-
Ramanujganj Chhattisgarh

---- Respondent

For Applicant : Mr. A.K. Prasad, Advocate.

For Respondent/State : Mr. Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

12/06/2020

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. 15/2020, registered at Police Station Sankargarh, Distt. Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 294, 506, 332, 353, 186 & 171(c) of the IPC and Section 136(B) of Representation of People Act 1951.
2. As per prosecution story, On 29.02.2020, complainant Mariyanus Tirki, Presiding Officer of Panchayat Election made a complaint alleging therein that on 24.02.2020, during course of election of Sarpanch, the applicant has raised a dispute with him, abused him, threaten him and also dater him from discharge of his duty. On the basis of said complaint, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some political disputes with the opponent party. He further submits that the incident was occurred on 24.02.2020 and the FIR has been lodged on 29.02.2020. The Counsel further submits that from the contents of the FIR, case under Sections 332 & 353 of the IPC can not be made out against the applicant and except Sections 332 & 353 of the IPC, all other offence areailable in nature. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and after perusal of the FIR, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
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 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.

Sd/-

(Arvind Singh Chandel)
Judge