

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 555 of 2020

1. Pawan Agrawal S/o Shri Dindayal Agrawal, aged about 38 years, R/o Pawan General Store, Gevra Basti Korba, District Korba, Chhattisgarh.
2. Dara Agrawal Alias Arun Agrawal, S/o Shri Dindayal Agrawal, aged about 36 years, R/o Pawan General Store Gevra Basti Korba, District Korba, Chhattisgarh.

---- Applicants

Versus

The State Of Chhattisgarh Through Station House Officer Of Police Station Kusmunda, Korba, District Korba, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Shailendra Dubey, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

13.07.2020

1. The matter is heard through Video Conferencing.
2. The applicants have filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with Crime No. 110/2020, registered at Police Station: Kusmunda, District: Korba (C.G.) for the offence punishable under Section 294, 323/34, 452 & 506 of IPC.
3. According to the case of prosecution, on 09.03.2020, at around 12:00 A.M. at night, the Applicants went in front of the house of complainant Budhwara Bai, thereafter, they started to abuse and forcefully entered the house of her and used filthy language and also assaulted her and other members of the family. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicants submits that the applicants have been falsely implicated in the present case due to some dispute. He submits that apart from Section 452 of IPC all the other offences are bailable in nature. Both the parties have settled their matter and a compromise

have already took place between them, therefore, it is prayed that the Applicants may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, arguments advanced by counsel for the parties and particularly considering that both the parties have settled their matter, 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.
8. Accordingly, this anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs. 25,000/- with one 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/applicants shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicants 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/applicants shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicants 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