

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 586 of 2020

1. Bedram Banjare S/o Shri Panchuram Banjare Aged About 52 Years R/o Village Mandir Ward Persabhder Mission, District Balodabazar-Bhatapara, Chhattisgarh.
2. Bedbai Banjare W/o Shri Bedram Banjare Aged About 50 Years R/o Village Mandir Ward Persabhder Mission, District Balodabazar-Bhatapara, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer Of Police Station City Kotwali, District Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Shailendra Dubey, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

09/07/2020

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. 172/2020, registered at Police Station: City Kotwali, District: Baloda Bazar-Bhatapara (C.G.) for the offence punishable under Section 186, 353, 384, 386, 189, 294, 506-B & 34 of IPC.
3. In this case the Applicant No.02 is the Sarpanch and Applicant No.01 is her husband. According to the case of prosecution, it is alleged that on 06.03.2020 at around 01:30 P.M., when the complainant namely Rituraj Sahu was discharging his duties, the present Applicants came there, demanded money from him also started to abuse him by using filthy language and threatened to kill him. Thereafter, they tried to interrupt in the official work of the complainant and tried to destroy the Government Records. 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 virtually one property dealer Bhagirathi took the Applicants to the office of the complainant and there complainant demanded money from them to provide copy of the said documents due to which quarrel took place between them, thereafter, complainant made false and fabricated report against the Applicants. He also submits that the entire story narrated by the complainant is not natural, 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 the counsel for the parties and after going through 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.
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