

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 834 of 2020**

- Nawaj Ahmad Farooqui, S/o Riyaj Ahmad Farooqui, Aged About 20 Years  
Occupation Student Resident of 17 Subham Nagar K.K. 685 Sir Road Nahar  
Para Near Raj Engineering Raipur, Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station –  
Nandini, District Durg, Chhattisgarh.

**---- Respondent**

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For Applicant : Smt. Indira Tripathi, Advocate.

For Respondent/State : Shri Hamida Siddiqui, Dy. A.G.

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**Hon'ble Shri Justice Arvind Singh Chandel**

**Order On Board**

**07/08/2020**

1. Heard through video conferencing.
2. The applicant has preferred the first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 100/2020 registered at Police Station Nandini, District - Durg, (C.G.) for the offence punishable under Section 429 of the Indian Penal Code and Section 10 of Chhattisgarh Agricultural Cattle Preservation Act, 2004.
3. As per the case of the prosecution, 12.05.2020 complainant Narendra Dewangan lodged a report alleging that some people residing in Agricultural Farm House, Girhola have thrown acid on his cattle due to

which they have burnt and their condition is critical. On the basis of the said, offence has been registered against applicant and other co-accused persons.

4. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. She further submits that there is no any eye-witness of the alleged act and name of the applicant is also not mentioned in the F.I.R. *Prima facie*, no case is made out against present applicant. It is further submitted that applicant is a student. Looking to the above, it is prayed that, applicant may be granted benefit of anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned Counsel appearing for the parties and perused the material available.
7. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and particularly considering the fact that there is no any eye-witness of the alleged act and name of the applicant is also not mentioned in the F.I.R., therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
8. Accordingly, the bail application is allowed.
9. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent

surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) 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/her from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He 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**