

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1015 of 2020**

- Ramesh Tripathi S/o Laxminarayan Tripathi Aged About 60 Years R/o Devendra Nagar, Raipur, District : Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through SHO, Police Station Civil Line Bilaspur, District : Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Shri T.K. Jha, Advocate.

For Respondent/State : Shri Dinesh Tiwari, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****28/09/2020**

1. Heard through video conferencing.
2. The applicant has preferred the first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 384/2020 registered at Police Station Civil Line, Bilaspur, District – Bilaspur, (C.G.) for the offence punishable under Section 506 of the Indian Penal Code.
3. In the present case, applicant is the brother-in-law (*jeth*) of the complainant Aaradhna Tripathi. Marriage of the complainant was solemnized with her husband namely Suresh. On 8.7.2014 husband of the complainant died. On 19.5.2020, F.I.R has been lodged by the complainant alleging therein that after death of her husband, applicant and other co-accused persons threatened her through telephone time

to time with dire consequences. On the basis of said, offence has been registered.

4. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some property dispute. If the entire case is taken as it is, *prima facie*, no offence under Section 506 of the I.P.C. is made out against applicant. It is further submitted that other co-accused persons namely Lakshminarayan Tripathi, Smt. Roopa Tripathi, Pushplata Trivedi, Ayushi Trivedi and Nitish Trivedi have already been granted benefit of anticipatory bail vide order dated 02.09.2020 passed in MCRCA No. 836/2020 by this Court. Therefore, it is prayed that applicant may also 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 the fact that other co-accused persons namely Lakshminarayan Tripathi, Smt. Roopa Tripathi, Pushplata Trivedi, Ayushi Trivedi and Nitish Trivedi have already been granted benefit of anticipatory bail vide order dated 02.09.2020 passed in MCRCA No. 836/2020 by this Court, 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 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