

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1045 of 2020**

- Sunil Sachdev S/o Shri Dholandas Sachdev, Aged About 53 Years
R/o H.No. B.34, Anandam World City, Kachan, Raipur, Tehsil And
District Raipur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Station House Officer, Police
Station Khamridih District Raipur Chhattisgarh

---- Respondent

For Applicant	Mr. YC Sharma, Advocate
For Respondent /State	Mr. Alok Bakshi, Additional Advocate General

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****3/12/2020**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.88/2020 registered at Police Station Khamridih, District Raipur (CG) for the offence punishable under Section

188 of the IPC.

3. The applicant apprehends his arrest on allegation that he has violated the order issued by the Public Authority during COVID-19 pandemic lock-down period.
4. On perusal of the case diary, it appears, the allegations are not so serious.
5. True it is that every citizen should know his own civil sense and civil discipline but at the same time, the present is not one such case which involves *mens rea* for violating of the order deliberately.
6. The applicant has been granted interim bail and the offences are triable by the Judicial Magistrate First Class, therefore, considering all the relevant aspects of the matter, I am of the opinion that present is a fit case to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) he shall make himself available for interrogation by a Police Officer as and when required;
 - (ii) 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 for disclosing such facts to the Court or to any Police Officer.

- (iii) he shall not influence the witnesses during pendency of the trial.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna