

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1181 of 2020**

- Shani @ Mukul Goswami S/o Roopgeer Goswami, Aged About 22 Years R/o Dharashiv, Police Station Pamgarh, District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through District Magistrate, Janjgir, District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	Ms. NK Kashyap, Advocate
For Respondent/State	Mr. Rakesh Sahu, Dy. GA

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****4/12/2020**

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.267/2020 registered at Police Station Pamgarh, District Janjgir-Champa (CG) for the offence punishable under Sections 294, 506, 323, 324 of the IPC.

3. On a dispute concerning borrowing of motorcycle of the complainant's brother, the applicant allegedly criminally intimidated, filthily abused and assaulted the complainant and one Rajendra Bareth by using a sword. Although the sword has been used for assaulting the injured persons, but for the said injuries, the concerned Police has registered two bailable offences i.e. under Section 323 and 324 of the IPC. The only non-bailable offence against the applicant is under Section 506 of the IPC for criminally intimidating the complainant.
4. Considering the fact that the only non-bailable offence against the applicant is under Section 506 of the IPC, I am of the opinion that the present is a fit case to extend the benefit of Section 438 of Cr.P.C. to the applicant.
5. 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