

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1379 of 2020**

- Fakruddin @ Fakru S/o - Sheikh Muhiyuddin Aged About 42 Years R/o - Nurani Chowk, Raja Talab, Police Station - Civil Line, District - Raipur (Chhattisgarh),

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station - City Kotwali Raipur, District - Raipur (Chhattisgarh)

---- Respondent

For Applicant	:-	Mr. Rahim Ubwani, Advocate
For Respondent-State	:-	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**11/12/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.354/2019, registered at Police Station City Kotwali, Distt. Raipur C.G. for offence punishable under Sections 294, 324, 325, 326, 506, 34 of the IPC.
2. Injured - Gopal Sen lodged oral report which was taken down at Rojnamcha Sanha No.32 dated 06.07.2019 to the effect that when he had gone along with Munir Bhai to

Baijnathpara at 6 pm on 06.07.2019, co-accused Md. Kasim abused him on a dispute concerning keeping some goods in front of his shop and assaulted over his right leg by means of rod for which he is having pain over the right leg. The FIR was later on registered on 17.07.2019.

3. Learned State counsel would oppose the prayer for grant of anticipatory bail on submission that the injured has suffered fracture of right fibula bone.
4. In the oral report taken down on Rojnamcha Sanha No.32, the allegation is against Md. Kasim and not against the present applicant. Even in his diary statement recorded on 09.07.2019, he has not made any specific allegation against the present applicant but has mentioned in the last line of his statement that this applicant was also involved in the incident.
5. Considering the material available in the case diary, I am inclined to extend the benefit of anticipatory bail. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on executing 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 from disclosing such facts to the Court or to any police officer;
- (iii) the applicant shall not influence the witnesses during pendency of the trial.

SD/-
(Prashant Kumar Mishra)
Judge

Ayushi