

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 1485 of 2020

- Dilip Sahu S/o Shaukilal Sahu Aged About 32 Years Resident Of Village Nandel Police Station Jaijaipur District Janjgir Champa Chhattisgarh

---- Petitioner

**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Bhatgaon, District Balodabazar Bhatapara

---- Respondent

---

|                       |                                       |
|-----------------------|---------------------------------------|
| For Applicant         | Ms. Supriya Upasane, Advocate         |
| For Respondent /State | Mr. Sameer Uraon, Government Advocate |

---

**SB.: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****16/12/2020**

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.166/20 registered at Police Station Bhatgaon, District

Balodabazar-Bhatapara for the offence punishable under Section 354 of the IPC.

3. The applicant, who is a Constable in the Central Reserve Force, was on a visit to her sister's house at about 8.30 A.M. on 2.8.2020. On a dispute between the applicant's sister and the present prosecutrix, the applicant intervened and allegedly caught hold of the hand of the prosecutrix and in the process, broke her bangles.
4. Considering that the incident happened in the house of a relative and there is a dispute/rivalry between *Devrani* and *Jethani* as also for the reason that the applicant is a Government Servant and in the event of his arrest, he will suffer adversely in his service, I am inclined 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