

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1429 of 2020**

- Smt. Dipika Barai W/o Pradeep Barai Aged About 40 Years
R/o Village Dakbangla, Police Station Gariyaband, District
Gariyaband Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer,
Police Station Gariyaband, District Gariyaband Chhattisgarh.

---- Respondent

For Applicant	:-	Mr. A.D. Kuldeep, Advocate
For Respondent-State	:-	Mr. Ayaz Naved, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra
Order On Board**15/12/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as she apprehends her arrest in connection with Crime No.170/2020, registered at Police Station Gariyaband District Gariyaband C.G. for offence punishable under Section 384 of the I.P.C.
2. Applicant is a journalist working with Dharohar Sandesh weekly newspaper published from Gariyaband. She moved three applications seeking some information from Gram Panchayat, Shobha, Janpad Panchayat, Mainpur under the Right to Information Act. When the required information was

not provided, she preferred 03 First Appeals before the Appellate Authority and thereafter she preferred 03 Second Appeals before the State Information Commission. The complainant moved an application before the State Information Commission that he was willing to provide information to the accused but she threatened to extort ₹60,000/- instead of having the information. This application of the complainant was transferred to the concerned Police.

3. Learned State counsel would oppose the prayer for grant of anticipatory bail. He would submit that there are three previous antecedents of the applicant.
4. Having seen the case diary, it appears the applicant was consistently following her application under Right to Information Act by moving First Appeals and Second Appeals. Although the complainant says that accused was more interested in ₹60,000/- than the information itself, but the complainant has nowhere provided the required information to the accused. If she was interested in ₹60,000/- and not in the information, there was no occasion for her to move First Appeals and Second Appeals. The criminal antecedents do not involve commission of any serious offence.
5. The applicant is a lady journalist, aged about 40 years and there appears no requirement of her custodial interrogation,

therefore, considering all the relevant aspects of the matter, I am inclined to release the applicant on anticipatory bail.

6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, she 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) she shall make herself available for interrogation by a police officer as and when required;
- (ii) she 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