

HIGH COURT OF CHHATTISGARH, BILASPUR

Cr.M.P. No. 2091 of 2019

- Ishwar Prasad Sahu S/o Late Shri Bhola Ram Sahu Aged About 52 Years R/o Balco, Post And P.S. Balco Nagar, Tehsil And District- Korba, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Station House Officer Police Station Balco Nagar, District- Korba, Chhattisgarh
2. Rahul Wassan S/o Shri Pradeep Kumar Wassan Aged About 34 Years
3. Sahil Wassan S/o Shri Pradeep Kumar Wassan Aged About 33 Years
4. Ujjwal Wassan S/o Shri Pradeep Kumar Wassn Aged About 31 Years
(respondent No.2 to 4 r/o Wassan Chal, Agroha Marg, Korba, Tahsil And District- Korba, Chhattisgarh)

---- Respondent

For Petitioner	: Mr. Surfaraz Khan, Advocate.
For State	: Mr. Gurudev I. Sharan, Govt. Advocate.
For Respondents No.2 to 4	: Mr. Abhishek Saraf, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order on Board

09-12-2020

Heard.

1. This petition has been brought under Section 439 (2) of Cr.P.C. praying for cancellation of the order granting bail passed by this Court in M.Cr.C. (A) No.751/2019 on 26.07.2019.
2. It is submitted by the learned counsel for the petitioner that the anticipatory bail was granted to the respondents No.2, 3 and 4 on the condition that they will not influence the prosecution witnesses. However, the respondents No.2, 3 and 4 are not complying with that

condition and are making attempts to influence the prosecution witnesses. Therefore, they are taking law in hands and interfering with the administration of justice. Hence, on this ground, it is prayed that the anticipatory bail granted to the private respondents may be canceled.

3. Learned State counsel appearing for respondent No.01 makes formal objection.
4. Learned counsel appearing for respondents No.2, 3 and 4 opposes the submissions made or learned counsel for the petitioner and submissions that the allegations made against the private respondents are totally false and baseless. The private respondents are clearly abiding by the conditions imposed upon them in the order granting anticipatory bail and they have not at all used that liberty. Therefore, the petition may be dismissed.
5. Considered on the submissions, it appears that the petitioner side has made a plain statement making allegation against the private respondents regarding which there is no document produced in support to show that any complaint was made to the police or other authority against the private respondents for the act complained on. Apart from that the statement in the petition is also not specific with any detail. Therefore, I am of this view that on the basis of such vague allegation, any order granting bail to the persons concerned cannot be canceled.
6. Accordingly, the petition is dismissed and disposed off.

Monika

Sd/-
(Rajendra Chandra Singh Samant)
Judge