

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1960 of 2019

Devendra Yadav @ Guduwa S/o Shri Devi Prasad Yadav Aged About 23 Years
Caste- Yadav, R/o Village- Podishankar (Parasapali), Police Staion-
Bamhanidih, Civil And Revenue District- Janjgir Champa, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Staion- Bamhanidih, Civil And
Ravenue District- Janjgir Champa, Chhattisgarh

---- Respondent

For Applicant : Mr. Parasmani Shrivastava, Advocate.
For Respondent/State : Mr. Amit Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

03/03/2020

1. The applicant has filed bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 56/2018, registered at Police Station Bamhanidih, Distt. Janjgir Champa (C.G.) for the offence punishable under Sections 147, 341, 427 & 186 of the IPC and Sections 3 & 4 of Damages of Public Property Act.
2. As per prosecution story, on the date of incident i.e. 18.08.2018, the electricity supply was shut down due to that 200-250 villagers of 6 villages gathered outside the electricity supply center Bamhanidih and started agitation. The mob went violent and some property of CSPDCL was damaged. Allegedly, the applicant was also involved in the crime in question.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that apart from Sections 3 & 4 of Damages of Public Property Act, all offence are bailable in nature. There is no specific allegations have been made against the applicant with regard to causing damage of Public Property. The Counsel further submits that on the same facts and evidence co-accused Vikash Kumar Tiwari, Rikhiram Dadsena,

Tekram Yadav, Tulsi Khunte, Manoj Dhawaj @ Mordhwaj, Smt. Pushpa Dewangan, Manoj Jaltare, Smt. Shanti Bai and Santosh Kumar Kashyap have already granted benefit of anticipatory bail by this Court. Hence, it is prayed that the applicant may also be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties and perused the case diary minutely.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the fact that on the same facts and evidence other co-accused persons have already granted benefit of anticipatory bail by this Court. Without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant 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/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge