

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 2073 of 2019

Krishna Kumar Yadav S/o Devcharan Yadav Aged About 38 Years R/o Village Matiyari, Police Station Sipat, District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Its Police Station Sipat, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ravi Maheshwari, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/02/2020

1. The applicant has filed this 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. 432/2019, registered at Police Station: Sipat, Civil & Revenue District: Bilaspur (C.G.) for the offence punishable under Section 294, 506 Part-2, 323, 327 & 341 of IPC.
2. As per the prosecution story, on 20.11.2019 at around 04:00 O'clock the complainant was returning from Nargoda to Bilaspur on his vehicle bearing registration No. CG 04 JC 3950, when he reached near village Matiyari Shikaripara, allegedly the present Applicant stopped him abused and committed *Maar-peet* and also demanded money for consuming liquor. On the basis of said, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case due to some dispute. He submits that except section 327 of IPC all the other offences levelled against the Applicant are bailable. It is further submitted that both the parties have already settled their matter and the complainant has given

affidavit in favour of the Applicant and he has no objection therefore, he prays for grant of anticipatory bail to the Applicant.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties and particularly considering that both the complainant and Applicant have settled their matter, 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 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 the 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