

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 2060 of 2019**

- Narendra Juneja S/o Late Kishan Juneja Aged About 47 Years
R/o Jagatpur, Dhimrapur, Road , Raigarh, District Raigarh
Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station Ajak, Raigarh,
District Raigarh Chhattisgarh

---- Respondent

For Applicant	Mr. Manoj Paranjpe, Advocate
For Respondent /State	Mr. KK Singh, Government Advocate
For Objector	Mr. Vineet Kumar Pandey, Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****14/7/2020**

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.2/2019, registered at Police Station Ajak, Raigarh, District Raigarh, Chhattisgarh for the offence punishable under Sections 294, 506 of IPC and Section 3(1) *da, dha*, 3(2) (v) (*ka*) of the Scheduled Tribes and Scheduled Castes (Prevention of

Atrocities) Act, 1989 (in short "the Act, 1989").

3. The applicant is the owner of a hotel at Raigarh where the complainant was working as Steward. In his complaint dated 7.11.2018, the complainant would allege that despite working for 2 months, the applicant did not pay wages and abused him in the name of his caste. His signatures were also taken on blank papers.
4. According to learned counsel for the applicant, the applicant has a subsisting dispute with another nearby hotel owner, who has instigated the present complainant to lodge the complaint. It is also argued that this Court has already allowed interim bail to the applicant on 17.1.2020.
5. Learned counsel for the State would oppose the bail application.
6. After hearing learned counsel for the parties, it appears, the genesis of the dispute is non payment of wages. Since the applicant has already been allowed interim bail and it is debatable whether in the present set of allegations, an offence under Section 3(1) *da, dha*, 3(2) (v) (*ka*) of the Act, 1989 would eventually be made out or not, this Court is inclined to affirm the interim bail granted to the applicant and extend him the benefit of Section 438 of Cr.P.C.
7. 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.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna'