

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 2082 of 2019**

- Akhilesh Gupta, S/o Motilal Gupta, aged about 30 years R/o Village & PS Patna, Tahsil Baikunthpur, District Koriya (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through SHO, Police Station AJAK, Baikunthpur District- Koriya, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri A.K. Shukla, Advocate.

For Non-Applicant : Ms. Fouzia Mirza, Additional AG

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****16/06/2020 :**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.37/2019, registered at Police Station AJAK, Baikunthpur District Koriya for offences punishable under Sections 384 and 294 of the IPC, Section 3 of the Karja Act and Section 3(1)(द)(घ) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act, 1989').
2. After hearing learned counsel for the parties and ascertaining the nature of allegations contained in the case diary, it appears, there was monetary transaction between the parties some times back from the date of lodging FIR and the present incident which led to the FIR happened about 6 months back, possibility of exaggeration cannot be ruled out.

Since prima facie there was monetary transaction, bar under Section 18 of the Act, 1989 may not be attracted.

3. 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 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) 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 from disclosing such facts to the Court or to any police officer.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve