

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 2100 of 2019

1. Rampratap S/o Nabalik Prasad Aged About 27 Years R/o Village Asandih, Police Station Raghunathnagar, District Balrampur-Ramanujganj, Chhattisgarh.
2. Arjun S/o Sahdev Aged About 24 Years R/o Village Asandih, Police Station Raghunathnagar, District Balrampur-Ramanujganj, Chhattisgarh.
3. Vinod S/o Sukhdev Aged About 28 Years R/o Village Asandih, Police Station Raghunathnagar, District Balrampur-Ramanujganj, Chhattisgarh.
4. Parmanand S/o Tulsi Aged About 22 Years R/o Village Asandih, Police Station Raghunathnagar, District Balrampur-Ramanujganj, Chhattisgarh.
5. Murari @ Sachidanand S/o Nabalik Aged About 24 Years R/o Village Asandih, Police Station Raghunathnagar, District Balrampur-Ramanujganj, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Raghunath Nagar,
Balrampur, District Balrampur-Ramanujganj, Chhattisgarh.

---- Respondent

For Applicants : Mr. Akath Kumar Yadav, Advocate.
For Respondent/State : Mr. Amit Verma, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

17/03/2020

1. The applicants have filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with crime no. 16/2019, registered at Police Station Raghunathnagar, Distt. Balrampur-Ramanujganj (C.G.) for the offence punishable under Sections 147, 148, 149, 325 & 452 of the IPC.

2. As per prosecution story, on 01.03.2019, at about 9:50 PM due to some previous enmity, the applicants laced with sticks have entered in the house of complainant and committed *marpeet* with him and his family members due to which, the complainant and his family members sustained injuries thereafter the matter was report by the complainant. On the basis of said complaint, offence has been registered.
3. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have been falsely implicated in the present case due to some previous enmity with the complainant. He further submits that virtually the complainant and his family members beat the applicants and for the same incident, the applicants have lodged complaint against the complainant's party. The Counsel further submits that firstly the report was lodged by the applicants, thereafter to save themselves, a false and fabricated report has been lodged against the applicants. The Counsel further submits that apart from Section 452 of the IPC, all offence are bailable in nature. Hence, it is prayed that the applicants may be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of the 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 firstly the report was lodged by the applicants, thereafter the complainant lodged a report against the applicants. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicants 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 them and they shall abide by all the following terms and conditions:-

- I. That accused/applicants shall made themselves available for interrogation before the concerned Investigating Officer as and when required;
- II. The accused/applicants 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/applicants shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicants shall appear before the Trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge