

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 2118 of 2019**

Gulab Pansari S/o Late Shri Parmanand Pansari, aged about 50 years R/o Bramhanpara, Durga Chowk, Rajnandgaon, Tahsil & District Rajnandgaon(C.G.)

---- Applicant**Versus**

State of Chhattisgarh through Station House Officer, Police Station Somni, District Rajnandgaon (C.G.).

---- Respondent

For Applicant	:	Mr. Abhishek Sharma, Advocate
For Respondent	:	Mr. Adil Minhaj, PL

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board**28/05/2020**

1. The matter is heard through video conferencing.
2. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 162/2019 registered at police station – Somni, District Rajnandgaon (C.G.) for the offence punishable under Sections 294, 353, 186 & 506 of the Indian Penal Code.
3. As per prosecution story Complainant Tulsiram Sahu had lodged a report on 29/08/2019 alleging therein that on 29/08/2019 when he was demarcating the land of applicant's wife, the applicant came there and used filthy language with him. He also threatened him to kill and committed marpit. On the basis of said report, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some dispute with the officers of UCO Bank. He further submits that on 20/05/2019 the land was already demarcated by the Complainant and one panchnama was also prepared in this regard, therefore, it seems that the applicant has been falsely implicated. He further submits that before this incident, the Complainant had also made a false report against the wife of the applicant and his wife got anticipatory bail by this Court. The conduct of the Complainant shows that he is habitual to lodge false FIR against the applicant to harass him and his family members. He prays for grant of anticipatory bail.
5. Learned counsel appearing on behalf of the State opposes the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case, the argument advanced by counsel for the parties and the documents annexed with this bail application, without further commenting on other merit of the case, I am inclined to release the applicant on anticipatory bail.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.10,000/- 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 make 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.

10. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge

Rahul