

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRCA No. 83 of 2020**

Golu @ Amit Kumar S/o Shri Ramesh Narayan Kewant Aged About 23 Years  
Resident Of Baraur, Police Station And Tahsil Marwahi, District Bilaspur,  
Chhattisgarh

---- Applicant

**Versus**

State Of Chhattisgarh Through Police Station Marwahi, District Bilaspur  
Chhattisgarh

---- Respondent

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| For Applicant        | : Mr. Avinash Chand Sahu, Advocate. |
| For Respondent/State | : Mr. Ghanshyam Patel, G.A.         |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**15/06/2020**

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. 84/2017, registered at Police Station Marwahi, Distt. Bilaspur (C.G.) for the offence punishable under Sections 147, 186, 332, 353, 294 & 506 of the IPC.
2. As per prosecution story, On the date of incident i.e. 18.06.2017, due to death of one villager because of motor accident, villagers of village Baraur created the road jam and were making demand for compensation to be given to the family of the deceased. The police personnels arrived on the spot to control the mob, but some miscreants started pelting stones in the truck and manhandling with police personnels who were present to manage the affair. On the basis of said background, offence has been registered against 12 persons.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that *prima facie* no case can be made out against the applicant, he was only present on the spot because of occurrence of the road accident. The agitation made by the villagers was peaceful, but some miscreants started pelting stones in the truck and manhandling with police

personnel who were present to manage the affair in which the applicant has not participated. The Counsel further submits that some accused persons have already granted benefit of anticipatory bail by this Court vide orders dated 18.03.2019 and 13.05.2019 passed in MCRCA Nos. 369/2019 & 631/2019 respectively. Hence, it is prayed that the applicant may also 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.
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 on the same facts and evidence, other co-accused persons have already granted benefit of bail by this Court. 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 solvent 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 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**