

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 2191 of 2019**

Dipendra Kumar Sharma S/o Sukhlal Sharma, aged about 35 years R/o High School Para Geedam P.S. Geedam District Dantewada (C.G.)

---- Applicant

Versus

State of Chhattisgarh through the Police Station Vishrampuri, District Kondagaon (C.G.).

---- Respondent

For Applicant	:	Mr. Pravin Kumar Tulsiyan, Advocate
For Respondent	:	Ms. Hamida Siddique, Dy. Advocate General

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

05/06/2020

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. 80/2018 registered at police station – Vishrampuri, District Kondagaon (C.G.) for the offence punishable under Sections 294, 506 (B) of the IPC and Section 3 (1) (10) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act (henceforth 'the Act').
3. According to the case of the prosecution, on the date of incident the applicant abused the complainant on the name of his caste. He also threatened him. On the basis of report made by the complainant, 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. Prima-faice no offence under Section 3 (1) (10) of the Act is made out against the applicant. The report has been made due to rivalry with the applicant.
5. Learned counsel appearing on behalf of the State opposes the bail application. Referring the submission of the complainant as well as other witnesses, he submits that prima-faice the case is made out against the applicant. He further submits that there is bar under Section 18 of the Act to not grant anticipatory bail. Therefore, the bail application may be rejected.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case and the argument advanced by counsel for the parties, prima-faice case is made out against the applicant and further that there is a bar under Section 18 of the Act to grant anticipatory bail, without further commenting on other merit of the case, I am not inclined to release the applicant on anticipatory bail.
8. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Arvind Singh Chandel)
Judge