

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 57 of 2021**

1. Arun Kumar (Constable of G.D. Force No.170721121), S/o Suryadev Singh, aged about 26 years, R/o Village Lekha Bigha, Sarvan, P.S. Arwal District Arwal, Bihar, Current Address, CISF Camp B Seam Colary, Khongapani, P.S. Jhagrakhand, District Korla (CG)

---- Applicant

Versus

- State Of Chhattisgarh Through SHO, Police Station Jhagrakhand, District Korla (CG)

---- Non-Applicant

For Applicant : Shri Ramsajiwan, Advocate.

For Non-Applicant : Shri Anmol Sharma, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****03/03/2021 :**

1. The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.191/2020, registered at Police Station Jhagrakhand, District Korla for offence punishable under Section 294, 332 and 353 of the IPC.
2. The applicant is a Constable in the CISF. At the relevant time, he was posted at CISF Company B-Seam, Khongapani, District Korla. He had allegedly filthily abused and assaulted his immediate superior Officer, Company Commander Rahul Rai in course of duties at about 19.00 hours on 25.10.2020.
3. It is argued that the applicant was repeatedly applying for leave for personal reasons but the complainant always rejected his applications, therefore, some altercation took place but he has not

assaulted the complainant.

4. Learned State Counsel would oppose the prayer for grant of anticipatory bail.
5. The rejection order passed by the trial Court contains the details of the leave applications filed by the applicant. Annexure A/2 is the copy of the leave history of the applicant. It clearly reflects that Five applications for leave to attend her critically ill mother have been rejected. In such a situation, if any altercation or exchange of hot words have taken place, the same may not involve such culpability which should affect the applicant's service career.
6. Therefore, considering the entire fact situation of the case, I am inclined to extend the benefit of anticipatory bail to the applicant.
7. 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 not influence the witnesses during trial.
 - (ii) he shall make himself available for interrogation by a police officer as and when required;
 - (iii) 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