

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.176 of 2021

Bhola Prasad Kori S/o Late R.S. Kori Aged About 47 Years R/o Shankar Nagar, P.S. Torwa District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
----- **Applicant**

Versus

1. State Of Chhattisgarh Through Superintend Of Police District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
2. State Of Punjab Through Superintend Of Police District Ludhiana Punjab, District : Ludhiana, Punjab
----- **Respondents**

For Applicant	:	Mr. Akhilesh Kumar with Mr. Kishan Lal Sahu, Advocates
For Respondent/State	:	Mr. Sudeep Verma, Dy. G.A.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

02/06/2021

Heard.

1. This application has been moved by the applicant for grant of transit bail for the limited purposes of applicant taking necessary steps to apply for grant of bail before jurisdictional Court in the State of Punjab and Haryana.
2. Learned counsel for the applicant would submit that the applicant has received notice from Police Station CAW & C Cell-3, Ludhiana Punjab dated 09.09.2020 & 21.09.2020 requiring him to appear in the Police Station in connection with complaint/report lodged by the applicant's wife presumably making certain allegation of harassment or cruelty against the applicant.
3. Learned counsel for the applicant would submit that the applicant is a Railway servant presently posted in Bilaspur jurisdiction in the State of Chhattisgarh and working as Train Ticket Examiner. His wife has left him since last 1 ½ years and has gone to reside with her parents in her parental house at Ludhiana. The applicant's son and daughter, aged about 17 & 12 years old, are residing with the applicant. In these circumstances, as the applicant is a Railway servant and if in the course of transit and before approaching jurisdiction Court is arrested, he would suffer irreparable injury and his attempt

to obtain anticipatory bail would also be frustrated.

4. On the other hand, learned State counsel would submit that as the notice has been issued from the concerned Police Station at Ludhiana in the State of Punjab, the applicant may approach the jurisdictional Court and apply for grant of anticipatory bail or such other remedy as may be available to him under the law before appropriate authority.

5. From the contents of the application and notice which has been issued by the concerned Police Station Ludhiana, it appears that the applicant has been noticed to appear in the concerned Police Station in connection with some report which has been lodged against the applicant by his wife. The applicant is a railway servant and posted in the Railway at Bilaspur. Further taking into consideration that the applicant intends to move jurisdictional Court in the State of Punjab for obtaining relief to which he may consider himself to be entitled under the law, I consider it appropriate to protect the applicant by granting bail of transit nature for limited purposes so as to enable him to take appropriate remedy to protect his liberty.

6. Accordingly, this application is allowed. The applicant is granted transit bail to the effect that the applicant will have to appear before the concerned Police Station within a period of four weeks from today. In the event of arrest, the applicant shall be released on furnishing personal bond of Rs.50,000/-. This order shall remain effective for a period of six weeks only. The application is accordingly allowed in the manner and to the extent indicated above.

Sd/-

(Manindra Mohan Shrivastava)

Vacation Judge