

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 226 of 2021

- Akash Rathore S/o Shri Dev Prasad Rathore Aged About 23 Years
R/o Village Gataura, Tehsil Masturi, Police Station Masturi, District
Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through P. S. Janjgir District Janjgir
Champa Chhattisgarh

---- Respondent

For Applicant : Shri Shyam Sunderlal Tekchandani, Advocate
For Respondent/State : Ms. Ishwari Ghritlahre, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

05/04/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who are apprehending his arrest in connection with Crime No. 533/2020 registered at Police Station Janjgir, district Janjgir-Champa(CG) for the offence punishable under Section 279,337 and 308 of the IPC.

Case of the prosecution in brief is that report was lodged by the complainant alleging that on the date of incident, when his brother was going to his work place on his bike, he was dashed from behind by the car driven by the applicant as result of which he sustained injuries on his head, arm and back.

Contention of the counsel for the applicant is that the applicant have been falsely implicated in the present case. He further submits that

the applicant is a student and pursuing his studies at Chhattisgarh Swami Vivekanand Technical University, Bhilai and in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore he may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant's in connection with the aforesaid offence, he shall be released on bail on their executing a personal bond in sum of Rs. 25,000/- with one surety to the satisfaction of the trial Court. The applicant shall also abide by the following conditions :

(i) that 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 them from disclosing such facts to the Court or any police officer;

(ii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and

(iii) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Rajani Dubey)
Judge