

**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 349 of 2021**

Prakash Rathore S/o Harishankar Rathore, aged about 54 years, R/o Akaltara Road, Janjgir, Distt. Janjgir-Champa, Chhattisgarh.

**---Applicant**

**Versus**

State Of Chhattisgarh Through Police Station Kotwali, Janjgir, Distt. Janjgir-Champa, Chhattisgarh.

**--- Non-applicant/State**

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For Applicant :- Mr. Sumit Singh, Advocate

For State :- Mr. Jitendra Pali, Dy. A.G.

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**Hon'ble Shri Justice Sanjay K. Agrawal**

**Order on Board**

**21/05/2021**

1. This is the first bail application filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the applicant who has been arrested in connection with Crime No. 39/2021, registered at Police Station – Kotwali, Janjgir, Distt. Janjgir-Champa (CG), for the offence punishable under Sections 186, 394 and 353 of IPC.

2. Case of the prosecution, in brief, is that the applicant deterred the officers of the Electricity Board while they visited the premises of the

applicant on 21/01/2021 for recovery of the due amount and he threatened them and committed the aforesaid offences.

3. Learned counsel for the applicant would submit that the applicant is a law abiding citizen and he has not committed any offence and has falsely been implicated in the crime in question. He would also submit that on account of the current pandemic situation, the applicant could not deposit necessary dues, if any, as such, he is entitled for grant of anticipatory bail.

4. Learned State Counsel would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, role of the present applicant and the allegations levelled against the applicant and the punishment for the aforesaid offences, this Court is of the opinion that present is a fit case, in which, the applicant should be granted anticipatory bail.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is allowed and it is directed that in the event of arrest of the

applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of 25,000/- each with one surety in the like amount to the satisfaction of the concerned Investigating/Arresting Officer. The applicant shall also abide by the following conditions:-

(I). that he shall make himself available for interrogation before the concerned Arresting/Investigating Officer as and when required;

(ii). that he shall not, directly or indirectly, make any inducement, threat or promise to the 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). that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

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

8. Certified copy, as per rules.

**Sd/-**  
**(Sanjay K. Agrawal)**  
**Judge**