

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 464 of 2021**

1. Motiram Sahu, S/o Shri Jaklaram Sahu Aged About 55 Years,
2. Rameshwari Sahu, W/o Shri Motiram Sahu, Aged About 51 Years,
3. Umashankar Sahu, S/o Shri Motiram Sahu, Aged About 22 Years,
4. Dayashankar Sahu, S/o Shri Motiram Sahu, Aged About 19 Years,

All are resident of Gram- Sawantpur, Sawantpur Reet, Sargaon Police Station Sargaon, Tehsil Pathariya, District- Mungeli Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Officer-In-Charge, Police Station- Sargaon, District- Mungeli Chhattisgarh.

---- Respondent

For Applicants	: Mr. Rohit Sharma, Adv.
For Respondent/State	: Mr. B.P. Banjare, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29.06.2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicants who are apprehending their arrest in connection with Crime No. 20/2021 registered at Police Station- Sargaon, District- Mungeli, (C.G.) for commission of the offence punishable under Sections 147, 294, 323, 506 & 452 of IPC.
3. Case of the prosecution is that, complainant- Nitin Kumar Uikey lodged a report alleging that present applicants abused him in filthy language. Based on this, offence was registered against the present applicants.

4. Learned counsel for the applicants submits that the present applicants are innocent and have been falsely implicated in this case. He further submits that counter-FIR has been registered by both the parties against each other. He next added that other co-accused has been released on bail by lower Court, therefore, the present applicants may be granted anticipatory bail.
5. On the other hand, counsel for the State however opposes the application for anticipatory bail.
6. After hearing counsel for the parties and considering the totality of the facts and circumstances of the case and nature of offence, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application for grant ad-interim bail is allowed. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- with one local surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicants shall make themselves available for interrogation before the concerned investigating officer as and when required.
 - (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

**Sd/-
(Rajani Dubey)
Judge**