

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 546 of 2021**

- Maharshi Gautam S/o Shri Ramashankar Aged About 30 Years Caste- Brahmin, R/o Village- Patgawan, P.S.- Pendra, Tehsil- Pendra Road, District- Gourela- Pendra- Marwahi, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through The Sho, Police Station- Pendra, District- Gourela- Pendra- Marwahi, Chhattisgarh.,

---- Respondent

For Applicant	: Mr. Sandeep Shrivastava, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.
For Objector	: Mr. Rishi Soni, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16.07.2021**

1. Proceeding through video conferencing.
2. This Second bail application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 86/2020 registered at Police Station- Pendra, District Gourela Pendra Marwahi (C.G.) for commission of the offence punishable under Sections 307 of the IPC.
3. The first anticipatory bail application of the applicant was dismissed as withdrawn on 26.03.2021 passed in MCRCA No. 1502/2020.
4. As per the prosecution case, the allegation against the present applicant is that he assaulted the victim on his head and back with the help of bamboo stick due to which he sustained grievous injuries on his head.
5. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. Referring to Annexure A/1, he further submitted that complainant Roshni Gautam, victim Rama Kant Goutam as well

as Teerath Bai Rathore and Geeta Bai Rathore have filed their affidavit regarding the compromise between the parties and they have no objection regarding the bail of the applicant, therefore, the applicant may be given anticipatory bail.

6. On the other hand, counsel for the State opposes the application for anticipatory bail.
7. Learned counsel for the Objector made no objection regarding the bail application of the applicant.
8. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed.
9. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one 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 applicant shall make himself available for interrogation before the concerned investigating officer as and when required.
 - (ii) that the applicant 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 applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant 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**