

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1076 of 2021**

Piyush Tripathi S/o Arun Kumar Tripathi, Aged About 38 Years,
R/o Sattipara, Ambikapur, Police Station and Tehsil Ambikapur,
District Surguja Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police
Station Ambikapur, District Surguja Chhattisgarh.

---- Non-applicant

For Applicant : Mr. Amarnath Pandey, Advocate
For Non-applicant/State : Ms. Anjali Singh Chouhan, Panel Lawyer

Hon'ble Shri Justice Parth Prateem Sahu**Order on Board****08.09.2021**

1. The applicant has preferred this first bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail, as he is apprehending his arrest in connection with Crime No.470 of 2021, registered at Police Station Ambikapur, District Surguja (C.G.), for offence punishable under Section 505(1) of Indian Penal Code.
2. Case of the prosecution in brief, is that, applicant got published news in different newspapers of grant of his bail for offences under Sections 419 and 420 of IPC registered against him in Crime No.398 of 2021. After publication of news in different newspapers, one Yajvalkya Mishra lodged a report to concerned Police Station that applicant got published news, which will affect public tranquility in the society. Based on the complaint, instant crime was registered against the applicant.

3. Mr. Amarnath Pandey, learned counsel for the applicant would submit that due to enmity, report was lodged on false ground. He further submits that applicant is a Social Worker looking to his previous work for the society, local administration has issued Corona Warrior Card at the time of spread of COVID-19 Pandemic to help the people. State Government further notified for vaccination to persons above 45 years and persons possessing corona warrior cards, upon which, applicant got himself vaccinated on 27.03.2021. After his vaccination, crime was registered under Sections 419 and 420 of IPC, for which, applicant filed an application for grant of anticipatory bail, learned Court below allowed the application and granted him anticipatory bail. It is that order of grant of anticipatory bail was published in the newspaper. It is contended that applicant has not committed any offence as alleged against him, hence, he may be enlarged on anticipatory bail.
4. Per contra, Ms. Anjali Singh Chouhan, learned Panel Lawyer, representing the State opposing the submissions made by learned counsel for the applicant, would submit that applicant has not got published the news correctly and on the basis of complaint, offence has been registered against the applicant, hence, he is not entitled for grant of anticipatory bail.
5. I have heard learned counsel for the parties.
6. Taking into consideration entire facts and circumstances of the case, nature of allegations against the applicant and for the offence, if proved, offender can be convicted with imprisonment or

with fine or both, without commenting anything into the merits of the case, I am inclined to release the present applicant on anticipatory bail.

7. Accordingly, bail application 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 anticipatory bail on his furnishing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like sum to the satisfaction of the arresting officer and he shall be abide by the following conditions :-

(i) he shall make himself available for interrogation by a police officer as and when required;

(ii) 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 him from disclosing such facts to the Court or to any police officer.

(iii) he shall not influence the witnesses during pendency of the trial.

Certified copy as per Rules.

Sd/-
(Parth Prateem Sahu)
Judge