

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1079 of 2021**

1. Smt. Dilbasiya Sandilya W/o Nag Aged About 43 Years
Occupation House Wife and Labor
2. Smt. Rajkumari W/o Ramkishun Aged About 47 Years
Occupation House Wife and Labor

Both are R/o Village Karji, P.S. and Tahsil Rajpur District
Balrampur Ramanujganj Chhattisgarh.

---- Applicants**Versus**

State of Chhattisgarh Through Police Station Rajpur, District
Balrampur Ramanujganj Chhattisgarh.

---- Non-applicant

For Applicants : Shri A.N. Pandey, Advocate

For Non-applicant/State : Shri Shrikant Kaushik, Panel Lawyer

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

1. The applicants have preferred this first bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail, as they are apprehending their arrest in connection with Crime No.152 of 2021, registered at Police Station Rajpur, District Balrampur-Ramanujganj (C.G.), for offence punishable under Sections 147, 186, 294, 323, 332 and 353 of Indian Penal Code.
2. Case of the prosecution in brief, is that, Sub Divisional Officer, Rural Engineering Services, Rajpur received information that members of village panchayat Karji have published the news that bridge on Korbapara approach road has been completed, which was incomplete. After receiving the information, Sub Divisional Officer along with other officers have visited the spot for physical

verification and at the time of taking measurements of work of construction of bridge, applicants along with eight others came to spot, raised objection and also used criminal force to assault the public servant performing their duties. Three of the officials suffered injuries and thereafter, on next day, report was lodged, upon which, aforementioned crime is registered against the present applicants and eight other persons.

3. Shri A.N. Pandey, learned counsel for the applicants would submit that applicants are not elected members of village panchayat and they are having no interest in physical verification of construction work. He further submits that applicants were present there as labourer. Applicants are female members and there is no specific overt act alleged against them, hence, they may be released on anticipatory bail.
4. Per contra, Shri Shrikant Kaushik learned Panel Lawyer representing the State opposing the submissions made by learned counsel for the applicants, would submit that applicants are involved in forceful act of deterring and assaulting the government servants, three Government officials have suffered injuries over their person. Applicants along with other persons were present on the spot when Government officials were obstructed in carrying out the measurement work of the work done by panchayat of construction of cross-bridge, assaulted them, hence, they are 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, particularly the fact that there is no specific overt act alleged against the applicants, applicants are women, without commenting anything into the merits of the case, I am inclined to release the present applicants on anticipatory bail.
7. Accordingly, bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on anticipatory bail on their furnishing a personal bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with one surety in the like sum to the satisfaction of the arresting officer and they shall be abide by the following conditions :-

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

(ii) they 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 to any police officer.

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

Certified copy as per Rules.

Sd/-
(Parth Prateem Sahu)
Judge