

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC (A) No. 1132 of 2021

Virendra Tiwari S/o Late Shri Shivbadan Tiwari, Aged About 56 Years, R/o U.S. Baba Colony, Ambikapur, District : Surguja, Chhattisgarh. Mob.No.- 6260882820,

---- Applicant

Versus

State of Chhattisgarh Through- S.H.O. Pandri, Raipur District- Raipur (C.G.).

--- Respondent

For Applicant	: Mr. Yatharth Singh, Advocate.
For State	: Mr. B.L. Sahu, PL.
For Objector/Complainant	: Mr. N.K. Sinha, Advocate.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

23/09/2021

Heard.

1. Applicant has filed this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.57/2021 registered at Police Station –Pandri, Raipur, District -Raipur, (CG), for the offence punishable under Section 509-B & 506 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that during the period between 26.01.21 to 13.03.21, applicant has abused complainant by sending messages on Mobile Phone and also threatened her for her life. Based on report dated 13.03.21, aforementioned crime is registered against applicant and co-accused Sourabh Tiwari.
3. Learned counsel for the applicant submits that complainant is a daughter of applicant. She went to Raipur for pursuing her studies and after completion of studies started working in private sector. She came in contact with Animesh Sinha and wanted to marry him. As per information of applicant, Animesh Sinha is already married, hence, applicant objected the relationship of his daughter with Animesh Sinha. Mobile chats is under the anger. Applicant has not committed any offence as alleged against him. Applicant being a father of complainant tried to protect and secure her life and carrier.

4. Learned State Counsel and learned counsel for the Objector opposing the submissions made by learned counsel for applicant submits that applicant has used abusive language on Mobile Phone, forwarded some photo of Gun, threatened her of life. Hence, he is not entitled for grant of anticipatory bail.
5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegation levelled against applicant, relation of applicant with complainant, submissions made by learned counsel for the parties, without commenting anything on merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the crime in question, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Arresting Officer. The applicant shall also abide by the following conditions :
 - (i) that applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that applicant 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/her from disclosing such facts to the Court or to any police officer;
 - (iii) that applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that 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/-
(Parth Prateem Sahu)
Judge

Jamal/-