

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1440 of 2020**

1. Saddam, S/o Md. Kasim Khan, Aged About 28 Years, R/o Mominpura, Ambikapur, P.S.- Ambikapur Distt.- Surguja, Chhattisgarh.
2. Rijju @ Rijwan, S/o Abdul Rahman, Aged About 31 Years, R/o Mominpura, Ambikapur, P.S.- Ambikapur Distt.- Surguja, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through- Police Station In-Charge, P.S.- Kotwali Ambikapur Distt.- Surguja, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Manoj Mishra, Adv.
For Respondent/State	: Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.03.2021**

1. 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. 485/2020 registered at Police Station- Kotwali Ambikapur Distt.- Surguja (C.G.) for commission of the offence punishable under Sections 147, 149, 294, 323, 506, 452 of IPC.
2. Case of the prosecution is that an FIR has been lodged by the complainant against the applicants and other co-accused persons alleging that the present applicants were abusing the complainant in filthy language and assaulted him by rod, hand and fists. Based on this, offence was registered against the present applicants.
3. Learned counsel for the applicants submits that the present applicants are innocent and have been falsely implicated in this case. He further submits that there is no material available on record against the applicants, therefore, the present applicants may be granted anticipatory bail.

4. On the other hand, counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular the injuries sustained by the complainant are simple in nature, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants. Accordingly, the application 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/- each 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 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**