

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1520 of 2020**

- Kuldeep Nonhare @ Vijay Kumar Nonhare, S/o Dalluram, Aged About 47 Years, R/o Ward No. 9, Ambedkar Ward Dallirajhara, Police Station- Rajhara, District- Balod, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer Of Police Station Dallirajhara, District- Balod, Chhattisgarh.

---- Respondent

For Applicant	: Mr. B.P. Singh, Adv.
For Respondent/State	: Ms. Anjali Singh Chauhan, P.L.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****01.04.2021**

1. This 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. 311/2015 registered at Police Station- Dallirajhara, District- Balod (C.G.) for commission of the offence punishable under Sections 186, 353, 506, 34, 365, 427 of IPC.
2. Case of the prosecution is that, complainant lodged a report stating that on 23.09.2015, the Jan Mukti Morcha has conducted cycle rally where complainant was taking photographs then Ishwar has snatched his camera and took him on motorcycle at Bhoomika Photo Studio where memory of the camera was taken and formatted it and also given threat to kill. Based on this, offence was registered against the present applicant.
3. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that there is no name of the applicant in

the complaint or in FIR and there is no specific role of the applicant in this offence. He next added that he is not a main accused person, therefore, the present applicant 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 applicant is not a main accused person, 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. 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