

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1591 of 2020**

- Jagbandhu Sonwani S/o Shri Puniram Sonwani Aged About 34 Years Occupation- Agriculture, Presently Working As Sarapanch At Gram Panchayat- Paraskol, R/o Village- Paraskol, Police Station- Kosir, Tahsil- Sarangarh, District- Raigarh, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Station House Officer Of Police Station- Kosir, District- Raigarh, Chhattisgarh

---- Respondent

For Applicant	Mr. Roop Naik, Advocate
For Respondent /State	Mr. Ayaz Naved, Government Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****8/1/2021**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.116/2020 registered at Police Station Kosir, District Raigarh (CG) for the offence punishable under Sections 354, 506, 323 of the IPC.
3. The applicant is the Sarpanch of Gram Panchayat, Paraskol, Tehsil Sarangarh District Raigarh. The prosecutrix is the wife of

one Tirith Ram and daughter-in-law of one Manaram. It is said that on the date of the incident, the applicant outraged the modesty of the prosecutrix by catching hold of her hand/wrist, bringing her down on a wooden cot (*Takhat*) and touching her chest and waist. Her husband reached to the house and a quarrel took place between him and the applicant, during which, the applicant was given severe beating.

4. It is the case of the applicant that Manaram and Tirith Ram were shown to have been engaged in the MGNREGA work during the lock-down period. However, the muster roll did not carry their signatures. On this and for several other irregularities, the applicant has lodged complaint against the Panchayat Secretary, acting upon which, he has been suspended. Due to this, the Panchayat Secretary as well as Manaram and Tirith Ram are having grudge against the applicant. It was Tirith Ram, who had called the applicant to his house at the time of the incident and as soon as the applicant reached, he was giving a beating, in which, the applicant himself has sustained three fractures on his right leg as also sustained head injury.
5. Considering the background of the strained relationship between the parties, the possibility of false implication cannot be ruled out. The applicant has sustained grievous injuries on account of beating given to him by Manaram and Tirith Ram.
6. Considering all the relevant aspects of the matter, I am of the opinion that present is a fit case to extend the benefit of

Section 438 of Cr.P.C. to the applicant.

7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with 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 for 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/-

(Prashant Kumar Mishra)

Judge

Shyna