

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1259 of 2021**

- Ansh Singh Alias (Correct Name Is Anshu Singh Alias) Prateek Singh S/o Sanjay Singh Aged About 28 Years R/o Shikari Road, Ambikapur District Surguja Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station In Charge, Police Station Ambikapur District Surguja Chhattisgarh

---- Respondent

 For Applicant : Smt. Madhunisha Singh, Advocate
 For respondent/State : Shri BP Banjare, Dy. Govt. Advocate

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****27.10.2021.**

1. The applicant has preferred this bail application under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.738/2021 registered at Police Station Ambikapur Distt. Surguja (CG) for the offence punishable under Sections 307, 354, 341, 294, 506, 323 & 34 of the Indian Penal Code.

2. Brief facts of the case are that on 10.8.2021 when the complainant was going in her Scooty, then co-accused Satish Tripathi and Sanjay Gupta, who are said to be main accused, were going in a car Creta bearing registration No.CG 15 DK 8666, dashed her scooty, threatened her to kill, molested her and also assaulted her. On being called by the said accused persons, present applicant along with another co-accused came

on the spot by their scooty and they also abused the complainant in filthy language and also threatened to kill her. The complainant filed report in police station Ambikapur and thereafter FIR under Sections 354, 341, 294, 506, 323, 34 of the IPC was lodged. Later on during the course of investigation, offence under Section 307 IPC has been added.

3. Learned counsel for the applicant submits that as per the prosecution case, the applicant has very limited role in the alleged crime, he reached to the spot after commission of main incident. He has neither abused the complainant nor threatened her. He has been falsely implicated in the offence only on the basis of suspicion, therefore, the applicant may be enlarged on anticipatory bail.

4. On the other hand, learned counsel for the State submits that present applicant has played active role in the alleged crime and he has also threatened the complainant to kill her. Therefore, he is not entitled for anticipatory bail.

5. I have heard learned counsel for both parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, especially the role of the applicant in the alleged crime, this is a fit case to grant anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is allowed and it is ordered that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on

anticipatory bail by the officer arresting him on his executing a personal bond for a sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the officer arresting him. The applicant shall also abide by the following conditions:-

- (i) that he shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that 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/her from disclosing such facts to the Court or any police officer.
- (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial;
- (v) that in case of change of address he will inform new address to investigating agency.

Certified copy as per rules.

Sd/-

(N.K. Chandravanshi)
JUDGE