

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 935 of 2020**

- Bhushan Singh Thakur S/o Prasan Singh Thakur @ Pekhan Aged About 38 Years R/o Village Kaudiya, Chowki-Dashrangpur, P.S. Pipariya, District- Kabirdham, Chhattisgarh

---- Applicant**Versus**

1. State Of Chhattisgarh Through The Special Police Station, AJAK, Tahsil Kawardha, District Kabirdham, Chhattisgarh
2. Smt. Savitri Bai Wd/o Late Shri Hariram Dhurve Aged About 60 Years R/o Village Kaudiya, P.S. Pipariya, District Kabirdham, Chhattisgarh

---- Respondents

For Applicant	: - Mr. Atanu Ghosh, Advocate
For Respondent-State	: - Mr. Ayaz Naved, G.A.
For Complainant	: - Mr. Dharmesh Shrivastava, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra
Judgment On Board**25/02/2021**

1. Heard.
2. The appellant has preferred this appeal against order dated 9.11.2020 passed by Additional Sessions Judge, District Kabirdham by which the application filed by the appellant for grant of anticipatory bail has been rejected.
3. The appellant apprehends his arrest in connection with

Crime No.333/2020 registered at Police Station AJAK, Tahsil Kawardha, District Kabirdham C.G. for the offence punishable under Sections 294, 506, 323 of the IPC and Section 3(1)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. In a dispute concerning cultivation of agricultural land, the appellant along with co-accused persons abused the complainant in the name of her caste and assaulted her. Contents of the FIR and diary statement of witnesses clearly reveals that the complainant was filthily abused in the name of her caste.
5. Learned State counsel would oppose the prayer for grant of bail.
6. Considering the bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, I am not inclined to extend the benefit of anticipatory bail to the appellant.
7. Accordingly, the present appeal is dismissed. However, liberty is reserved in the favor of the appellant to surrender and apply for regular bail. In such an event, the concerned Court shall consider and decide the bail application expeditiously preferably within three days.

SD/-
(Prashant Kumar Mishra)
Judge