

HIGH COURT OF CHHATTISGARH, BILASPUR**CRA No. 1240 of 2021**

Anurag Singh Chauhan S/o Shri Khambhan Singh Chauhan Aged About 30 Years R/o Village Kosa, Police Station Mulmula, Tahsil Pamgarh, District Janjgir Champa Chhattisgarh.

----Appellant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Ajak (Anusuchit Jati Kalyan) Janjgir, District Janjgir Champa Chhattisgarh.

---- Respondent

For Appellant	: Shri Paras Mani Shrivastava, Advocate.
For Respondent /State	: Smt. Hamida Siddiqui, Dy.A.G.
For objector	: Shri Ravindra Sharma, Advocate.

Order on Board

By

Hon'ble Shri Justice Goutam Bhaduri

14/12/2021

1. The present appeal is arising out of order dated 29-9-2021 passed by the Special Judge (Atrocities), Janjgir, District Janjgir-Champa, in Bail Petition No.739/2021.
2. The appellant has preferred this appeal under Section 14A(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act, 1989') for grant of anticipatory bail under Section 438 of the Cr.P.C. as he apprehends his arrest in connection with Crime No.05/2021, registered at Police Station Ajak (Anusuchit Jati Kalyan) Janjgir, District Janjgir-Champa (CG) for offence punishable under Sections 294, 323, 506 of IPC and Section 3 (1)(द) (घ) of the Scheduled Castes and Scheduled Tribes (Prevention of

Atrocities) Act, 1989.

3. As per the prosecution case, on 22/10/2020 when the relative of the complainant was dashed by motorcycle, on such incident the applicant abused the complainant in the name of the caste, thereby offence is committed.
4. Learned counsel for the appellant would submits that it is a counter blast to the earlier report made by the applicant, therefore false implication have been made and he referred to Annexure A-2 and would submit that under the circumstances false allegation have been made, therefore, the appellant may be enlarged on anticipatory bail.
5. Per contra, learned State counsel and counsel for the objector opposes grant of anticipatory bail.
6. Learned State counsel read out the FIR and the statement of the complainant.
7. Having considered the same, prima facie it would show that bar of Section 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 would come into play so as to grant anticipatory bail.
8. In view of this, the appeal fails and the order of the learned court below dated 29/09/2021 is affirmed.

Sd/-

(Goutam Bhaduri)
Judge

