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HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****Misc. Criminal Case (A) No.1706 of 2020**

1. Shubham Verma, aged about 31 years, son of Shri Umashankar, Verma, occupation business caste-Kaayasth, R/o village Laxmipur, P.S. and Tahsil Ambikapur, Distt. Surguja (C.G)
2. Rahul Singh, aged about 25 years, son of Shri Rameshwar singh, Caste-Kshatriya, occupation-Labour, R/o village Laxmipur, P.S. and Tahsil Ambikapur, Distt. Surguja (C.G)
3. Prince Sahu, aged about 21 years, son of Shri Pawan Sahu, Caste-Teli, Occupation Mechanic, R/o village Laxmipur, P.S. and Tahsil Ambikapur, Distt. Surguja (C.G).
4. Manoj Munda, aged about 28 years, son of Shri Kailash Munda, occupation- business, R/o. Village-Gangapur, P.S. Gandhinagar, Tahsil Ambikapur, Distt, Surguja. (C.G.)

---- Applicants

Versus

- The State of Chhattisgarh, through the station, House Officer, Police Station-Kotwali, Ambikaur, Distt. Surguja, C.G.

---- Non-Applicant

For Applicants : Shri Neeraj Kumar Mehta, Advocate
 For State/Non-Applicant : Shri Sidharth Dubey Dy. G.A.

Hon'ble Shri Justice N.K. Chandravanshi**Order On Board****10.5.2021**

1. The applicants have preferred this bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.428/2019, registered at Police Station Kotwali Ambikapur (CG) for the offence punishable under Sections 341, 294, 323, 324, 506, 394, 34 of the Indian Penal Code.

2. As per the case of the prosecution story, the complainant lodged a report in Police Station Kotwali Ambikapur to the effect

that applicants and other persons stopped him and his friend Pramod Yadav near Mathpara turn, and starting beating them and assaulted on him and Pramod with a broken liquor bottle and looted Rs. 3,000/- from him and Rs. 500/- and Mobile from Pramod, also broke the mobile. On the basis of written report F.I.R. was registered.

3. Counsel for the applicants submitted that the applicants are innocent and falsely implicated in the crime. He further submitted that it is a simple case of Marpeet and no loot has been committed in the case which they have accepted in their statement under Section 164 of Cr.P.C. recorded in the Court. Therefore, the applicants may be granted anticipatory bail.

4. On the contrary, learned State counsel opposes the application for grant of anticipatory bail.

5. Considering the facts and circumstances particularly as per the submission that complainants have accepted in their statement recorded under Section 164 of Cr.P.C. that no loot has been committed in the matter and as no criminal antecedents of the applicant has been shown in the case diary, I am inclined to grant anticipatory bail to the applicants.

6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting on each of them executing a personal bond in a sum of Rs.25,000/- with one surety in the like sum to the

satisfaction of the officer arresting them or the concerned investigating officer. The applicants shall also abide by the following conditions:-

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

Certified copy as per rules.

Sd/-
(Shri N.K. Chandravanshi)
VACATION JUDGE