

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1732 of 2020**

- Vipin Kumar, S/o Arun Kumar Vishwakarma, Aged About 24 Years, R/o Ward No. 02, Abdul Kalam Ward, Bramhan Para, Sakri, Police Station- Sakri, District- Bilaspur, Chhattisgarh.

**---- Applicant****Versus**

- State Of Chhattisgarh Through: The Station House Officer, Police Station- Sakri Civil & Revenue District- Bilaspur Chhattisgarh.

**---- Respondent**


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| For Applicant        | : Mr. Nitansh Kumar Jaiswal, Adv. |
| For Respondent/State | : Mr. Vimlesh Bajpai, G.A.        |

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**Hon'ble Smt. Justice Rajani Dubey****Order on Board****07.06.2021**

1. The matter is heard through video conferencing.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 319/2020 registered at Police Station- Sakri, District- Bilaspur (C.G.) for commission of the offence punishable under Section 436 of IPC.
3. Case of the prosecution is that, on 11.11.2020 at about 8:30 PM, applicant came to the grocery shop of the complainant in drunken condition and asked him for cigarette but brother of the complainant refused to give the same, thereafter, present applicant abused the complainant and worker. Thereafter, at about 11:30 PM, present applicant set complainant's house on fire. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this

case. He further submits that there is a delay in lodging of FIR against the applicant. He next added that there is no antecedent registered against the applicant, therefore, the present applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
  - (i) that the applicant shall make himself available for interrogation before the concerned investigating officer as and when required.
  - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
  - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
  - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

**Sd/-  
(Rajani Dubey)  
Judge**