

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1799 of 2020

1. Satynarayan Kashyap, S/o Kalika Prasad Aged About 42 Years
2. Itwari Nirmalkar S/o Punau, Aged About 44 Years

Both R/o Villge Rahaud, Thana Shivrinarayan, District - Janjgir Champa Chhattisgarh.

---- Applicants

Versus

1. State Of Chhattisgarh Through, Police Station - Shivrinarayan, District - Janjgir Champa Chhattisgarh.

---- Respondent

For Applicants

Mr. Vikash Pandey, Advocate

For Respondent /State

Ms Akshara Amit, Panel Lawyer

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board01/03/2021

1. The applicants have preferred this application for grant of anticipatory bail, as they apprehend their arrest in connection with Crime No.296/2020, registered at Police Station Shivrinarayan, District Janjgir-Champa (CG), for the offence punishable under Sections 294, 506, 323, 456, 34 of the Indian Penal Code.
2. These two applicants are office bearers of Maa Satbahaniya Machuva Sahakari Samiti Maryadit (for brevity 'the Samiti'),

Rahaud, Police Station Shivrinarayan, District Janjgir-Champa. Complainant Grahana Kashyap lodged a report on 21-9-2020 alleging that the applicants committed lurking house trespass; abused filthily; criminally intimidated; and assaulted him and his family members at about 12.30 am in the intervening night of 20th & 21st September, 2020.

3. It is argued that the applicants have lodged a complaint against the complainant Grahana on 23-7-2020 alleging commission of theft of fishes from the pond leased out to the Samiti. The present complaint is a counter blast of the complaint lodged against Grahana on 23-7-2020.
4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. Having seen the case diary I have found that the complaint nowhere states the reason as to commission of house trespass, abuse and assault by the applicants. Thus, considering the previous complaint lodged by the applicants and for the fact that no custodial interrogation seems to be necessary in the facts and circumstances of the case, this Court is inclined to release the applicant on anticipatory bail.
6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- they shall make themselves available for interrogation by a police officer as and when required;
- 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 him from disclosing such facts to the Court or to any police officer.
- they shall not influence the witnesses during pendency of the trial.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri