

**HIGH COURT OF CHHATTISGARH, BILASPUR****CRA No.426 of 2023**

1. Awdhesh Jaiswal S/o Dayashankar Jaiswal Aged About 21 Years R/o 79, Raghunathnagar, Police Station Raghunathnagar, District Balrampur Ramanujganj Chhattisgarh

---- Appellant

Versus

• State Of Chhattisgarh Through The Police Of Police Station Raghunathpur, District Balrampur Ramanujganj Chhattisgarh

---- Respondent

For Appellant : Shri Govind Dewangan, Advocate.
For Respondent : Shri Lalit Jangde, Deputy GA.

Hon'ble Shri Deepak Kumar Tiwari, J

Order On Board

13/04/2023

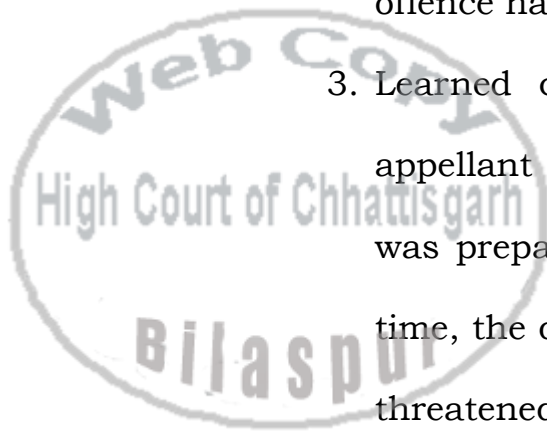
1. The appellant has preferred this Appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act') for grant of anticipatory bail in connection with Crime No.180/2022, registered at Police Station Raghunathpur, District Balrampur-Ramanujganj for offence under Sections 294, 323, 457 and 506 of the IPC and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Act.
2. Prosecution case is that complainant Raghuveer Kumar has lodged a report with the Police Station Raghunathnagar





alleging that he was posted as daily wage computer operator at the Forest Range Office, Raghunathnagar. On the date of the incident, at about 8 pm, when he was going after finishing his work for taking meals, the present appellant was preparing a video of the seized woods. During preparation of such video clips, the appellant started raising quarrel with the complainant, abused him in filthy language in the name of mother and sister and also threatened to kill and beat him and also made caste based remarks. On aforesaid allegations, offence has been registered.

3. Learned counsel for the appellant would submit that the appellant is innocent and has been falsely implicated, as he was preparing the video clips of the seized woods and at that time, the officers and others objected and abused him and also threatened to implicate him in a false case. He further submits that the appellant is a young boy aged about 21 years. Considering all these aspects, he may be released on anticipatory bail.
4. On the other hand, learned State Counsel would oppose the bail application, however, he submits that the appellant has previous antecedents, as 2 criminal cases were registered against him under the IPC.
5. Considering the submissions of the parties, particularly considering the backdrop of the case and the fact that bar under Section 18 of the Act is not applicable, as the incident





happened when the appellant was preparing video of seized articles and the same was objected by the Forest Officials, this Court is inclined to release the appellant on anticipatory bail.

6. Accordingly, the Appeal is allowed and it is directed that in the event of arrest of the appellant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

(i) he shall not influence the witnesses during trial.

(ii) he shall make himself available for interrogation by a police officer as and when required;

(iii) he 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.

Sd/-
(Deepak Kumar Tiwari)
Judge

Barve

