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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 552 of 2021

- Rakesh Kumar Kannauje S/o Ghuruwa Prasad Kannauje Aged About 26 Years R/o Purani Basti , Thakur Dev Chowk, Baloda Bazar Police Station City Kotwali, Baloda Bazar, District Baloda Bazar Bhatapara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Baloda Bazar District Baloda Bazar Bhatapara Chhattisgarh

---- Respondent

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Bilaspur

For Applicant : Shri Suresh Verma, Advocate
For Respondent/State : Shri Sudeep Verma, Dy.GA

Hon'ble Smt. Justice Rajani Dubey
Order On Board By Virtual Hearing

09/06/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No. 191/2021 registered at Police Station City Kotwali, Baloda Bazar, district Baloda Bazar-Bhatapara (CG) for the offence punishable under Section 83(2) of the Juvenile Justice (Care and Protection of Children) Act.

Case of the prosecution in brief is that on the date of incident, after receiving secret information, the police reached the spot and found one person was involved in gambling (*satta-patti*) through mobile and when he was caught, he informed that the present

applicant was using him for this illegal activity for earning Rs. 250/- per day.

Contention of the counsel for the applicant is that the applicant has been falsely implicated in the present case. He further submits that except memorandum of the co-accused, there is nothing adverse against him in the present case. He submits that in the present circumstances of the pandemic Covid-19, the investigation will take time and therefore he may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

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Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegation against the applicant, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his executing a personal bond in sum of Rs. 50,000/- with one surety 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/medical examination 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 of 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

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