



ITEM NO.6

COURT NO.8

SECTION 11-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 6355/2021

(Arising out of impugned final judgment and order dated 23-07-2021 in MCRCA No. 535/2021 passed by the High Court Of Chhatisgarh At Bilaspur)

MADHESHWAR PRASAD

Petitioner(s)

VERSUS

THE STATE OF CHHATTISGARH

Respondent(s)

IA No. 24854/2022 - EXEMPTION FROM FILING O.T.

IA No. 105437/2021 - EXEMPTION FROM FILING O.T.

IA No. 91695/2022 - INTERVENTION APPLICATION)

Date : 02-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MR. JUSTICE VIKRAM NATH

For Petitioner(s)

Mr. Siddharth Dave, Sr. Adv.
Mr. Abhinav Shrivastava, AOR
Ms. Ritu Reniwal, Adv.
Ms. Vidhi Thaker, Adv.
Mr. Rupesh Shrivastava, Adv.

For Respondent(s)

Mr. Sourav Roy, Adv.
Mr. Mahesh Kumar, Adv.
Mr. Prabudh Singh, Adv.
Mr. Kaushal Sharma, Adv.
Mr. Rishabh Nigam, Adv.
Ms. Devika Khanna, Adv.
Ms. V.d. Khanna, Adv.
Mr. Vmz Chambers, AOR

Mr. Kaustubh Shukla, AOR
Ms. Nancy Shamim, Adv.
Mrs. Smt Isha Vatsa, Adv.
Mrs. Nudrat Fatima, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The petitioner, by way of present special leave petition, has preferred a prayer for anticipatory bail.

Learned counsel for the respondent-State and learned counsel for the original complainant have vehemently opposed this prayer.

It is submitted by learned counsel for the State that the petitioner is absconding and is not cooperating with the investigation. The version of the State is difficult to believe since the petitioner is working as an Executive Engineer in the Public Works Department. If he is absconding, the State could always inform his superiors and get his presence ensured.

Taking into consideration the facts and circumstances of the present case and particularly that both the petitioner as well as the complainant are married and that the allegations are with regard to a much earlier period from the date on which F.I.R. is lodged, we are inclined to confirm the interim protection granted by this Court on 01.09.2021.

In the event of arrest, the petitioner is directed to be released on bail in connection with Crime No. 326 of 2021 registered at Police Station Sarkanda, District Bilaspur (CG), subject to executing bail bonds for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with one or two sureties in the like amount.

The special leave petition is, accordingly, disposed of.
Pending application(s), if any, shall stand disposed
of.

(DEEPAK SINGH)
COURT MASTER (SH)

(ANJU KAPOOR)
COURT MASTER (NSH)

