

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 896 of 2015

Mukesh Kumar S/o Jay Mangal Singh, Aged About 32 Years R/o Vaishali Paryavaran Sanrakshan Samiti, Akash Ganga, Sabji Mandi, Police Station- Supela, Bhilai, District- Durg, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through: Police Station- Bhatti, Bhilai, District- Durg, Chhattisgarh

---- Respondent

Shri Jitendra Gupta, counsel for the applicant/s.
Shri Ashok Swarnakar, Panel Lawyer for the State.

Order On Board

21/09/2015

Heard.

The applicant is apprehending his arrest in connection with Crime No. 72/2015 registered at police station – Bhatti, Bhilai (CG) for alleged commission of offence under Section 420 of IPC.

2. Prosecution case is that the applicant collected more money from the villagers. It is alleged that the receipt which was issued indicates less amount and in this manner, the applicant cheated the complainants.

3. Learned counsel for the applicant submits that the complaint is bogus. It is submitted that at the time of receiving the receipt, it did contain the amount which was collected and no body objected to it. Later on, on certain dispute, the allegation has been leveled which is highly improbable.

4. On the other hand, learned State counsel opposes the bail application and submits that beneficiaries states that though each one of them paid Rs.1,300/- but they had been issued receipt of Rs.1,000/- only.

5. Considering the submission of learned counsel for the parties, particularly

taking into consideration the statement that the receipt was issued by the applicant showing particular amount and that receipt is being disputed, I am inclined to grant anticipatory bail to the applicant.

6. Accordingly, the application is allowed. 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 furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions -

- (i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;
- (ii) that 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.
- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava
Judge