

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 1104 /2015

Prakash Navrang, S/o. Vijay Navrang Satnami, Aged About 25 Years, R/o. Gopiband Para, Pandariya, P.S. Pandariya, Civil & Revenue District Kabirdham, Chhattisgarh, At Present R/o, Daupara, Mungeli, P.S. Mungeli District Mungeli, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, P.S. Pandariya, District – Kabirdham, Chhattisgarh

---- Respondent

For Applicant : Mr. F.S.Khare, Advocate.

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/11/2015

1. Apprehending arrest in connection with Crime No.209/2015 registered at Police Station- Pandariya, District Kabirdham (C.G.) for the offence punishable under Section 420, 34 of the Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution story, in brief, the complainant Baldev Prasad Sonwani made a written complaint on 22.09.2015 alleging that the applicant along with his father has obtained Rs.1,00,000/- from him for providing job to his wife on the post of Supervisor in the Woman & Child Development Department. Therefore, the offence has been registered.
3. Learned counsel for the applicant submits that actually an amount was paid to one Amar Jangde for which initially a report was also made and the name of the applicant has been falsely implicated just to create a pressure along with his father as they being the

relative of Amar Jangde. He further submits that at the relevant time when the alleged offence is said to be committed i.e. two years before from the date of complaint i.e. on or about 22.09.2013, the applicant was in training at police camp from 01.07.2013 to 11.06.2014, which would lead to show that the name of the applicant has falsely been implicated and he was not at all present in the scene. Therefore, the applicant may be enlarged on anticipatory bail.

4. Per contra, the learned State counsel opposes the prayer for grant of anticipatory bail. He would submit that the applicant along with his father has obtained different amount from the other persons and thereby has committed the offence.
5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Perusal of the case diary would show that the complaint is made on 22.09.2015 and it is alleged that before two years, the applicant has received the amount to provide job to the wife of the complainant. The copy of certificate is filed along with this application, which shows that the applicant was at the training in the police camp from 01.07.2013 to 11.06.2014 which is signed by the Superintendent of Police also, therefore, prima facie the certificate appears to be correct. Therefore, taking into totality of the case and the fact that the applicant's father has already been arrested, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on furnishing a personal bond to a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the

concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the 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 so 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge