

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 647 of 2016

1. Hasain Khan @ Hasnuddin, S/o. Kamaruddin, aged about 20 years, R/o. Bakritola, P.S. -Doudi, Civil and Revenue District – Balod (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, through, Station House Officer, Police Station – Dongargarh, Civil and Revenue District – Rajnandgaon (C.G.)

---- Respondent

For Applicant	: Mr. Mirza Hafeez Baig, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/08/2016

1. Apprehending arrest in connection with Crime No.303/2014 registered at Police Station – Dongargarh, District – Rajnandgaon (C.G.), for offence punishable under Section 467, 468, 471, 420/34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, a report was made by one Sanjay Kumar on 18.08.2014 that one Domar Chandel and his friends has obtained an amount of Rs.40,000/- from them to provide them job. Subsequently, the job could not be given and on enquiry it was revealed that they falsely personified themselves. Likewise Yogita had paid Rs.30,000/- and Chandrika had paid Rs.15,000/-. Subsequently, again Rs.10,000/- was paid.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as he is the owner of the vehicle and he drives the vehicle and the vehicle was being hired by one Domar and Neelkant and they have taken the money and the applicant has been falsely implicated in this case and no offence has been committed by him. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, the learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents and the report dated 18.08.2014 of the Sanjay Kumar, wherein specifically this applicant has also been named. Considering the report and the fact that the applicant is still absconding, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge