

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 574 of 2017

- Sonu Sahu S/o Late Rajendra Prasad Sahu, Aged About 20 Years R/o Panchshil Nagar, Baloda Bazar, Police Station Baloda Bazar, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station City Kotwali, Civil & Revenue District Baloda Bazar Bhatapara, Chhattisgarh.

---- Respondent

For Applicant : Mr. Alok Kumar Pandey, Advocate

For Respondent : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

26/10/2017

1. Apprehending arrest in connection with Crime No.202/2017 registered at Police Station- City Kotwali, District – Baloda Bazar-Bhatapara (C.G.), for offence punishable under Sections 419, 420, 467, 468, 471, 34 of Indian Penal Code (for short 'IPC'), the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that applicant is a proprietor of Pan shop. One Ashish Tiwari, who introduced himself as Vikas Navrani, was a regular customer and had dues of almost Rs.8,000/-. Applicant demanded his dues, on which Ashish Tiwari asked for his bank account stating that he will directly deposit the due amount in his

bank account. Some time later, he was informed by Ashish Tiwari/Vikas Navrani that he has transferred of Rs.2,01,500/- in his account for the reason that he does not have any bank account in the locality. On his asking, applicant withdrew the amount and keeping Rs.8,000/- of his claim he returned the remaining amount to said Vikas Navrani.

3. Applicant has been falsely implicated in this case. He has been nothing to do with the receipt of the said cheque from the concerned Gram Panchayat and depositing the same in his bank account, hence, prayed that he may be benefited with grant of anticipatory bail.
4. Learned State counsel opposes the application and submissions made in this respect. It is submitted that written complaint lodged by various Panchayats discloses name of the applicant as one of the recipient and beneficiary in this case. In fact, 3 cheques that were issued by these Panchayats each were of value Rs.15,00/- only. The value in the cheque was enhanced by forging the same and instead of the amount for which the cheques were issued, a total sum of Rs.2,01,500/- was deposited in the account of the applicant, from which the applicant shall be deemed to have taken benefit himself. The statement of applicant that he himself has been cheated and victimized by Ashish Tiwari is a matter of defence, which he has to establish before the trial Court, for the present applicant is not entitled for grant of anticipatory bail.
5. Heard both the parties and perused the case diary.
6. Considering the submissions made and the contents of the case, I am of the view that no extra-ordinary case is made out in favour of the applicant for grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge