

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1185 of 2016

Sunil Uike S/o R. K. Uike, Aged About 44 Years R/o Smriti Nagar,
Supela, Bhilai, District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police
Station Supela, District Durg Chhattisgarh

---- Respondent

For applicant – Shri Praveen Dhurandhar, Advocate.
For Respondent/State – Shri Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

4/01/2017

1. This is second bail application under Section 438 of Cr.P.C.
2. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 488/2016 registered at Police Station Supela, District Durg (C.G.) for offence punishable under Sections 420/34, 120, 409 of IPC and Section 3, 4, 5, 6 of Chit-funds Act and Section 10 of Chhattisgarh Protection of Depositors Interest Act.
3. The applicant was earlier enlarged on bail in the similar Crime No.488/2016 on 4/08/2016. The offence was punishable under Section 420/34 of IPC. Subsequently, offence has been registered under Sections 420/34, 120, 409 of IPC and Section 3, 4, 5, 6 of Chit-funds Act and Section 10 of Chhattisgarh Protection of Depositors Interest Act.
4. Learned counsel for the applicant submits that earlier bail was granted on the ground that applicant has already paid Rs.9 lakhs and settled the dispute with the complainant and the money was deposited in the other account of B.M.A. Wealth Trading Company, therefore the applicant may be

granted benefit of anticipatory bail.

5. Learned State counsel opposes the prayer for grant of anticipatory bail.

6. Perused the earlier order dated 4/08/2016 passed in M.Cr.C.(A) No.629 of 2016 wherein bail was granted to the applicant in similar crime number. Taking into totality of the case, I am inclined to extend benefit of anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is allowed and 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 executing a personal bond in 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) 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.

Sd/-

(Goutam Bhaduri)

JUDGE

