

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1245 of 2016**

- Shiv Shanker Manikpuri S/o Shri Aghan Das Aged About 40 Years At Present Residing At Omnagar, Jarhabhatha, Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh.

---- Non-applicant

For Applicant:	Ms. Nirupama Bajpai, Advocate
For State:	Mr. Ashish Shukla, Government Advocate

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****17.05.2017**

1. Apprehending arrest in connection with Crime No. 594/2016 registered at Police Station- Civil Lines, District Biaspur (C.G.), for offence punishable under Section 420/34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. The allegation against the present Applicant is that he along with other accused persons is said to have extorted huge amount of money in the name of providing Government job. In all, it is alleged that money was collected from 14 persons to the tune of Rs. 1.5 to 2 lakhs per head. During the course of investigation statements of the 6 witnesses were recorded from whom money was taken in the garb of providing them employment.

3. Learned Counsel for the present Applicant submits that so far as the present Applicant is concerned the only role attributed is that of introducing the main accused Manish Rao and Manisha Sahu to the complainants.
4. Learned Counsel for the Applicant submits that the present applicant was also under the impression that main accused Manish Rao and Manisha Sahu were influential persons and were capable of providing employment. Therefore he had in good faith got the complainants introduced to these accused persons. Except this introduction part, there is no role attributable to the present applicant whatsoever and thus prayed for grant of anticipatory bail.
5. Learned State Counsel however opposes the bail on the ground that the statements recorded during the course of the investigation would reveal that in addition to the introduction been made to the complainants to the main accused, the payment has also been made in the presence of the present applicant. Therefore, there is some element of role been played by the present Applicant also.
6. However, having considered the rival contention put forth by the Counsel on either sides and on perusal of the record what is reflected is that all the victims have admitted the fact that the present Applicant only who had introduced the main accused with the complainants. Except for this, there is no allegation of either money being received by the present accused persons or the present applicant having made any promise to the complainants for providing employment through the other accused persons.
7. Considering the nature of the role played by the present Applicant as apparent from the statement of the victims examined during the course of the investigation, this Court is of the opinion that the

present Applicant is entitled to be granted liberty of anticipatory bail.

8. Accordingly, the MCRCA is allowed.

9. 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) 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.

Sd/-

(P. Sam Koshy)
JUDGE