

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1250 of 2016**

1. Dilip Kumar Choudhary, S/o. Badriprasad Choudhary, Aged About 27 Years, Occupation -Service (Shiksha Karmi), R/o Village- Ameri, Police Station- Sariya, Tehsil -Baramkela, District Raigarh Chhattisgarh.

----Applicant

Versus

1. State Of Chhattisgarh Through : Police Station- Chakradhar Nagar, Raigarh, District- Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Roop Naik, Advocate
For Respondent/State	: Mr. Dilman Rati Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****02/03/2017**

1. Apprehending arrest in connection with Crime No.316/2016 registered at Police Station- Chakradhar Nagar, Raigarh, District – Raigarh (C.G.), for offence punishable under Section 420, 467, 468, 471, 120-B, 511/34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. Case of the prosecution in brief is that a report was made by the Hariram that the present applicant in connivance with other co-accused tried to obtain loan from Kisan Credit Card on the basis of the forged documents B-1, Rin Pustika of different farmers. Subsequently, when enquiry was made from the farmers, it was

revealed that they have not applied for loan. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant himself when went to pay back some loan in the bank on request to introduce Sunil, thereafter, when the verification of the application for loan were being made he himself went to village along with bank officials, which would show that the applicant was not party to the entire transaction. The counsel relied on the report filed by the complainant to show that name of the applicant has wrongly been inculpated and the complainant have not alleged any allegation against the applicant. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.
4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary, documents as also the statement of complainant, wherein the allegation is completely diluted. Taking into such facts and the evidence available against the applicant, this Court is inclined to extend the benefit of anticipatory bail to the applicant as the custodial interrogation of the applicant may not be required in this case.
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) 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