

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 298 of 2018**

- Rampyare Yadav S/o Shri Rammurat Yadav Aged About 47 Years R/o Qtr. No. E-05, Fifteen Block, Korba, Police Station Kotwali, District Korba Chhattisgarh,

---- Applicant

Versus

- State of Chhattisgarh Through District Magistrate, Korba District Korba Chhattisgarh

---- Respondent

For Applicant	:	Shri Dharmesh Shrivastava, Advocate
For Respondent-State	:	Shri Sangharsh Pandey, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****11/05/2018**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant apprehending his arrest in connection with Crime No. 71/2018 registered at Police Station Kotwali, Out Post – CSEB, District Korba (C.G.) for the offence punishable under Section 420 IPC.
2. As per the prosecution case, a report was made that the present applicant is an agent of Gupta Bus Services, he used to issue bus ticket from Korba to Sasaram though he was authorized to issue ticket from Korba to Ambikapur. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the bus service is holding two permits one is from Korba to Ambikapur and second is from Ambikapur to Sasaram and there is no complaint to issue two tickets and in any case the offence under Section 420 IPC is not made out. Therefore, the

applicant may be given the benefit of anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have perused the case-diary. Considering the case-diary documents as also the nature of allegation made, I am inclined to allow this anticipatory bail application.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) that the applicant shall make himself available for interrogation before the investigation 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 them by the said Court till disposal of the trial.

SD/-

Goutam Bhaduri
Judge

Ashu