

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 457 of 2018

- Sunil E. Singh S/o E. A. Singh Aged About 71 Years R/o Santpal School Campus, Bairan Bazar Raipur, District Raipur Chhattisgarh At Present R/o Mig-24, Gatum Vihar Devpuri, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station Civil Lines, Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Ladlie Mathew S/o Late D. Mathew Aged About 63 Years R/o Crist Church, Vyas Senior Secondary School Campus, North Civil Lines, Jabalpur, District Janbalpur Madhya Pradesh, District : Jabalpur, Madhya Pradesh
3. Reverand Soloman Nelson S/o Nelson Aged About 62 Years R/o Nepier Town, Jabalpur, Present Secretary Board Of Education Cni, Jabalpur, District Janbalpur Madhya Pradesh, District : Jabalpur, Madhya Pradesh

---- Respondent

For Applicants : Ms. Manoj Paranjpe and Mr. Prasoon Agrawal, Advocates.

For Respondent No.1/State: Mr. Anupam Dubey, Dy. Govt. Advocate.

For Respondent No.3 : Mr. Sunil Sahu, Advocate.

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

03/08/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Criminal Complaint Case No.174/2012 registered at Police Station-Civil Line, District – Bilaspur (C.G.), for the offence punishable under Sections 420, 467, 468, 471 & 120b of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. Respondents No. 2 & 3 have filed an application for withdrawal of complaint but later on, the application was not pressed by the complainant side. No case is made out against this applicant on the basis of contents of complaint. The dispute because of which the complaint was brought, no longer exists. Respondent No.2 is no longer representing JBP Diocese and her name has been deleted from the complaint as complainant before the trial Court. Hence, representation for this non-applicant is not required. Applicant is ready to face the trial. Hence, it is prayed that applicant may be released on anticipatory bail.
3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Learned counsel for respondent No.3 submits that according to the contents of the complaint, offence is made out against the applicant, hence, it is prayed that he is not entitled for grant of regular bail.
5. Heard both the parties and perused the case diary.
6. The case against this applicant is this, that this applicant along with co-accused persons made separate body of Diocese Education Board

for Chhattisgarh and then passed an order extending the tenure of co-accused namely A. Nath as Principal of Varghese School and enhanced her salary. Further order has been passed for making deposits of return from fees etc. in a separate manner regarding which the complaint has been filed by respondent No.3.

7. Taking into consideration the material present in the case and also the documents filed along with this application, it appears that presently there is no need of custodial interrogation of the applicant, therefore, I am of this view that he should be benefited with grant of anticipatory bail.
8. 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 his executing a personal bond in the 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 them by the said Court till disposal of

the trial.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha