

HIGH COURT OF CHHATTISGARH AT BILASPUR

(Single Bench : Hon'ble Shri Ram Prasanna Sharma, J)

MCRCA No. 510 of 2018

- R.K. Sonkunwar S/o Shri Govind Sonkunswar Aged About 55 Years R/o Om Nagar, Jarahabhata, Police Station Civil Line, Tahsil And District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Incharge, Police Station Civil Line, Bilaspur, District Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondent

For Applicant : Mr.A.R.K. Rao, Advocate.

For State : Mr. Sanjeev Pandey, Govt. Advocate.

ORAL ORDER

27-6-2018

1. The applicant has preferred this bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 239 of 2018 registered in Police Station Civil Line, Bilaspur (CG) for offence punishable under Section 420 of the IPC.
2. The case of the prosecution, in brief, is that the present applicant obtained Rs.2,00,000/- from the complainant Gend Ram for providing employment to his son in Railways, but neither the son of the complainant got employment nor the aforesaid money was returned to the complainant and thereby he committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that present applicant made repayment of the said amount to the complainant, but no receipt was obtained. He would

further submit that the applicant is an innocent person and he has been falsely implicated in this case, , therefore, the benefit of anticipatory bail may be extended to the applicant.

4. On the other hand, learned counsel appearing for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties and considered their rival submissions made therein and perused the case diary with utmost circumspection.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence and further taking into consideration the fact that there is *prima facie* evidence regarding receiving the huge amount, present is not a fit case to extend the benefit of anticipatory bail to the applicant.
7. Accordingly, the instant M.Cr.C.(A) is liable to be and is hereby rejected.

Sd/-

(Ram Prasanna Sharma)

Judge

Raju