

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 520 of 2018

Shri Kavital Patel S/o Dhanauram Patel, aged about-28 years, Occupation Govt. Servant, R/o Village- Matimpur, PS Badala, Tehsil- Bodala, Civil & Revenue District- Kabirdham (C.G.).

---- Applicant

Versus

State of Chhattisgarh Through- P.S. Bodala, District- Kabirdham (C.G.).

---- Respondent

For Applicant	:	Mr. Dinesh Tiwari, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Judgment on Board

29/06/2018

1. Heard.
2. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 68/2018 registered at police station –Bodala Distt. Kabirdham(C.G.) for the offence punishable under Section 420 of IPC.
3. As per prosecution story a written report was lodged by the Baldev Ram Patel on 08/04/2018, wherein, it has been alleged that in the year 2009 and thereafter, the present applicant incited him and other persons to invest money which would double in some time. On his incitations, they gave money to the present applicant, which he did not return. On the basis of said report, offence has been registered against the present applicant under Section 420 of IPC.

4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He further submits that there is no document on record which could show that any of the complainant had given the money to the applicant. As alleged, the matter is of the year 2009, but the written report has been made in the year 2018, which also shows that for getting some gainful purpose, false report has been lodged by the complainant against the applicant, therefore, the applicant may be extended the benefit of anticipatory bail.
5. Learned counsel appearing on behalf of the State opposes the said application.
6. Looking to the above facts and circumstances of the case, particular considering that there is no document on record which shows that any of the complainant had given the money to the applicant and further considering that the matter is of the year 2009 and the written complaint has been lodged in the year 2018, I am inclined to release the applicant on anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.10,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
 - i. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/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. The accused/applicant shall not act, in any manner,

which will be prejudicial to fair and expeditious trial; and

iv. 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.

9. Certified copy, as per rules.

Sd/-
Judge
Arvind Singh Chandel

Rahul