

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 582 of 2018

- Vaishal Ahmad Siddiqui S/o Late M. K. Siddiqui Aged About 60 Years, R/o Kelabadi, P.S. Durg, Distt. Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Purani Bhilai, Distt. Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri Shrawan Agrawal, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-08-2018

1. Apprehending arrest in connection with Crime No.145/2018, registered at Police Station - Purani Bhilai, District Durg, Chhattisgarh for offence punishable under Section 420 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. In fact, the applicant had borrowed a sum of Rs.2,00,000/- from complainant Manju Chandrakar and as he could not repay the same in time, a false FIR has been lodged against him. In the present development the applicant has made refund of Rs.1,28,000/- to the complainant, regarding which, an affidavit has been sworn by the complainant in favour of this applicant, the original affidavit has been filed on the record for perusal of this Court.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. The allegation against this applicant is this, that he obtained Rs.2,00,000/- from complainant Manju Chandrakar on the pretext that he will get her appointed as Computer Operator in Raipur Hospital and thus cheated

her.

6. Considered on the material present in the case diary and also perused the original Ikrarnama which has been certified by Notary and filed before this Court which shows that the complainant has received Rs.1,28,000/- from this applicant and has agreed to resolve the dispute, hence, after due consideration, I am of this opinion that this applicant should be benefited with grant of anticipatory bail to this applicant.

7. Accordingly, the anticipatory bail application is allowed. 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.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge