

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 612 of 2018**

Thomas Tirki, S/o. Devar Tirki, Aged About 44 Years, R/o H9, R.D.A. Colony, Tikrapara, Raipur, District Raipur Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Police Station Ranchirai, Balod District Balod Chhattisgarh.

---- Respondent

For Applicant : Mr. Prasoon Agrawal, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**13/07/2018**

1. Apprehending arrest in connection with Crime No.8/2018, registered at Police Station – Ranchirai, Balod, District – Balod (C.G.) for offence punishable under Section 420, 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant. The applicant has been implicated only on the basis of the statement of the co-accused Tej Prakash Thakur that this applicant received amount, which was obtained by the main accused through inducement from the complainant. Therefore, it is prayed that the applicant may be enlarged on anticipatory bail.
3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.

4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the prosecution case, the co-accused Tej Prakash Thakur induced the complainant Chinta Ratre that he can arrange for his appointment to government job and obtained Rs.1.00 Lakhs. After the main accused was arrested he has made statement under Section 27 of the Evidence Act that he has stated that he has given the amount to this applicant. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After considering all the material present in the case diary and looking to the allegation made against this applicant, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram