

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 647 2018**

Pramod Kumar Mahant, S/o. Shri Shyamdas Mahant, Aged About 27 Years, Caste Panka, R/o. Village Bojiya, Police Station Chhal, Tahsil Dharamjaigarh, District- Raigarh, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station Pithoura, District- Mahasamund, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Vivek Kumar Pandey, Advocate
For Respondent/State	: Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****19/07/2018**

1. Apprehending arrest in connection with Crime No.68/2018, registered at Police Station – Pithoura, District– Mahasamund (C.G.) for offence punishable under Section 408, 420 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 on the basis of the material present in the case diary. The applicant is ready to abide by all the conditions imposed on him while enlarging him on bail. 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, this applicant in capacity of Manager of Spandana Sfurti Finance Limited prepared fake loan cases in the name of 20 womens of the area and by withdrawing the same has misappropriated Rs.2,42,497/-. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering the entire material present in the case diary and further considering the facts and circumstances of the case, this applicant should be enlarged on anticipatory bail with condition to deposit the amount withdrawn as loan by him or through him to the concerned Court.
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 on depositing Rs.2,42,497/- in the concerned Court, which shall be subject to disbursement after the decision of the case. 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