

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 680 of 2018

- Vinod Ramniklal Patel S/o Shri Ramniklal Patel, Aged About 40 Years
R/o Patel Saw Mill, Mul Road, Bengali Camp Square, Chandrapur
(Maharashtra), District : Chandrapur, Maharashtra

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Urla, District Raipur
Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Sunil Otwani, Advocate.
For Respondent/State : Mrs, Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

21/08/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.189/2018 registered at Police Station-Urla, District – Raipur (C.G.), for the offence punishable under Section 420 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. This is a case of non-payment of price of the material supplied to the applicant, which comes within the purview of civil dispute regarding which civil law remedy is available to the complainant but despite availability of civil law remedy, the complainant has lodged this false criminal complaint. Hence, it is

prayed that he may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard the parties and perused the case diary.
5. It is alleged that this applicant placed order for supply of plywood with complainant Satish Jain, supplier of plywood, and accordingly received two consignments worth Rs.4,43,210/- & Rs.5,94,653/- respectively, but he did not pay the bill amount to the complainant, hence, FIR has been lodged against him.
6. After considering the entire material present in the case diary and the nature of allegation levelled against the applicant, I am of this view that this is a fit case where applicant should be released on anticipatory bail .
7. Accordingly, the anticipatory bail application is allowed and 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 his executing a personal bond in the 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 them by the said Court till disposal of the trial.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha