

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 694 of 2018

- Pavitra Majumdar S/o Late Pashupati Majumdar, Aged About 42 Years, Working as L.I.C. Agent In Bacheli, R/o Ward No. 2 Behind Pal Kirana Shop, Post Office Bacheli, District Dantewada Chhattisgarh., District : Dantewada, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kirandul, District Dantewada Chhattisgarh., District : Dantewada, Chhattisgarh

---- Non-applicant

For Applicant – Shri Shrawan Agrawal and Shri P. Chetan Kumar, Advocates.
For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-07-2018

1. Apprehending arrest in connection with Crime No.31/2017, registered at Police Station – Kirandul, District Dantewada, Chhattisgarh for offence punishable under Section 419, 420, 468, 471 of the IPC, the applicant has preferred this application for grant of anticipatory bail. This is second anticipatory bail application filed by the applicant before this Court. His first application filed under Section 438 of the Cr.P.C. before this Court for grant of anticipatory bail was dismissed for want of prosecution.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. No case is made out against him. In development later on, the applicant and the complainant both have compromised and an application for compounding of offences has been moved before the trial Court along with the affidavit of complainant Gariba Ram Sahu, which is pending for orders. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
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 case against this applicant is this, that he in the capacity of agent of the LIC for the purpose of depositing the premium of insurance policy obtained amount from the complainant on a number of occasions and has misappropriated the same. Hence, this case.

6. Considered on the material present in the case diary and also considered on the statement of the applicant and certified copy of the order sheet of the trial Court in which it is mentioned that such application for compromise has been moved, hence, for these reasons, I am of this view that this applicant should be benefited with grant of anticipatory bail.

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