

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 757 of 2018

- Indrajeet Singh Rathore S/o Narendra Singh Rathore Aged About 35 Years R/o H. No. 24, Rojgaripara, Kondagaon, District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Makdi, District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

For Applicant : Mr. Raza Ali, Advocate.

For Respondent/State : Mr. Ashok Swarnkar, Panel Lawyer.

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

27/08/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.21/2018 registered at Police Station-Makdi, District – Kondagaon(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. Subsequent to allotment of land in favour of the complainant, this applicant have supplied all the articles of drip irrigation to the complainant and had also installed the same. A totally false FIR has been lodged by the complainant making allegation against him. No case is made out against the applicant.

Hence, it is prayed that he may be enlarged 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. Complainant Leela Nag has lodged FIR against the applicant alleging that he got sanctioned loan of Rs.5 lakh from the Bank of Baroda for installing drip irrigation equipment in his agriculture field and the work order was also issued to the concern of the applicant, but the applicant has supplied the equipments worth Rs.55,000/- only and he has also not installed the said equipment in his field although the entire loan amount has been received by the applicant. Hence this case.
6. Considered on all the material present in the case diary and looking to the nature of dispute between the applicant and the complainant, 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