

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 802 of 2018

- Pradeep Kumar Banerjee S/o Amarnath Banerjee, Aged About 29 Years, R/o- Saraswati Nagar, Pandri Raipur, P.S. Civil Line, Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- P.S.- Kumhari, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri Devershi Thakur, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-08-2018

1. Apprehending arrest in connection with Crime No.160/2016, registered at Police Station – Kumhari, District- Durg, Chhattisgarh for offence punishable under Section 420 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated only for the reason that one of the co-accused in this case is his father. Name of this applicant had not appeared in the FIR and the statement given by the complainant under Section 161 of the Cr.P.C. in the year 2016. For the purposes of falsely implicating this applicant a supplementary statement has been given by the complainant on 14-04-2018 and on that basis the applicant is apprehending his arrest. 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. It is alleged that main accused Amarnath Banerjee has received Rs.8,60,000/- in the year 2014 from the complainant Punnidas Mohale by inducing him that he will get his son appointed as Patwari making use of his

influences and sources and when the son of the complainant was not appointed and coming to know about the fraud committed the complainant has lodged the FIR on 17-06-2016. Hence, this case.

6. Consideration on the material present in the case diary. The name of this applicant has appeared for the first time in the supplementary statement that was recorded of complainant on 14-04-2018, hence, after due consideration on the lapse of time by the witnesses in naming this applicant as one of the co-accused in this case, I am of this opinion that this is a fit case for grant of anticipatory bail to this applicant.

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