

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 884 of 2018**

Muktamani Manikpuri, S/o. Shri Nakul Das Manikpuri, Aged About 32 Years, R/o. Village Jarve, Tehsil Baloda Distt. Janjgir Champa Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through : The District Magistrate, Police Station Kotwali, Korba District Korba Chhattisgarh.

---- Respondent

For Applicant	: Mr. Pushpendra Singh Baghel, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****20/09/2018**

1. Apprehending arrest in connection with Crime No.387/2018, registered at Police Station – Kotwali, Korba, District – Korba (C.G.) for offence punishable under Section 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. The applicant and the complainant both have compromised and settled their dispute and the applicant has returned the amount, which the applicant has received from the complainant, regarding which the complainant himself has appeared before this Court and recorded his statement before the Registry of this Court in compliance of the order passed by this Court. Hence, under these circumstances, 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. The case against the applicant is this that the applicant allegedly by inducement received Rs.4.00 lakhs from the complainant Triloki Prasad to get him appointed as Peon in government office. As the complainant could not get the appointment and he came to know about fraud, he lodged FIR. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering this fact that the complainant has been reimbursed by the applicant for the loss caused to him and the trial against the applicant shall be taken up in due course, but in the present development of things, after due consideration, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
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. 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