

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 917 of 2018

- Pyare Sahab Patel S/o Shri Shekh Ji Patel Aged About 60 Years R/o House No. 224, Ward No. 09, Ram Nagar Behind Old Building Of State Of India Supela Bhialia Tahsil And District Durg Chhattisgarh, District : Durg, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through The District Magistrate Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh
2. Harish Chabadiya S/o Kishanlal Aged About 58 Years R/o Civil Line Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondents

For Applicant : Mr. M.P.S. Bhatia, Advocate.
For Respondent : Mr. Vinod Tekam, PL for State.

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

02/08/2018

Heard.

1. Learned counsel for applicant submits that the applicant is apprehending his arrest in connection with complaint case No.383/2012 pending before the Court of JMFC, Raipur in which cognizance of offence under Section 138 of the Negotiable Instruments Act, 1881 has been taken. Hence, it is prayed that anticipatory bail may be granted to the applicant.

2. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that the application is not maintainable as the offence registered against the applicant is bailable.
3. In view of the above, this application is disposed off with a direction to the concerned Court below to consider and decide the bail application of the applicant on the same day if he appears and files such application before it.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha