

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1430 of 2018

- Narsingh Tripathi S/o Late Shri Diwakar Tripathi, Aged About 55 Years, R/o Phase - 6, Plot No. 110, Rishali, Maitri Nagar, Bhilai, Police Station Nevai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Durg, Police Station Nevai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Mr. Goutam Khetrapal and Mr. Avinash Chand Sahu, Advocates.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

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

26-11-2018

1. Apprehending arrest in connection with Crime No.193/2018, registered at Police Station – Nevai, District Durg, Chhattisgarh for offence punishable under Section 420 of the IPC and Section 3, 4 of Chit fund Act, 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 in this case. The wife of this applicant is the main accused person against whom there is allegation of defalcation of the amount of the finance group. This applicant has been implicated only for the reason that he is husband of the main accused. The applicant is an employee of Bhilai Steel Plant and his arrest and detention will jeopardise his career. Hence, it is prayed that he may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that name of this applicant has appeared in the complaint and the statement given by the witnesses about him being a participant in the commission of the offence. Hence, he is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the complaint filed by the complainant K.K. Rao and

others, it is alleged that wife of this applicant constituted a finance group and invited depositors from residents of the locality promising attractive returns against the deposits so made. It is alleged that all the deposits made were misappropriated by Soudamini Tripathi with the help of this applicant. Hence, this case.

6. Considered on all the material present in the case diary. As it appears that main allegation of constituting the finance group and inviting deposits is attributed on the part of co-accused person and that this applicant is an employee of public sector, hence, for these reasons, I feel inclined to allow this application.

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