

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 486 of 2019

- Biswa Ogre S/o Shri Kunjbihari Ogre, Aged About 41 Years, R/o Village Piparmati, Police Station Pandatarai, Tahsil Pandariya, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station In-charge, Police Station Pandatarai, Tahsil Pandariya, District Kabirdham Chhattisgarh, District : Kawardha (Kabirdham), Chhattisgarh

---- Non-applicant

For Applicant – Mr. Vikrant Pillay, Advocate.

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

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-04-2019

1. Apprehending arrest in connection with Crime No.24/2019, registered at Police Station – Pandatarai, Tahsil Pandariya, District Kabirdham, 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 in this case. No case is made out against the applicant. The applicant was stranger to the complainant, therefore, it is unbelievable that the complainant would make payment of huge amount of Rs.5,00,000/- to him without any previous acquaintance. There is no such document collected in the investigation to show that the complainant had applied for any appointment to the police service. Apart from that, the applicant has been falsely involved in this case only for the reason of previous enmity because father of the applicant had turned hostile in the case against Nohar Prasad and others, in which the complainant was interested. Therefore, the complainant has made false allegations against the applicant. Hence, it is prayed that the application may be allowed.

3. Learned counsel for the State/non-applicant opposes the application submitting that there is clear statement in the FIR lodged by the complainant that the applicant had on the pretext of arranging appointment of the complainant has received Rs.5,00,000/- from him. In proof of the payment bank evidence has also been collected in the investigation and there is also evidence collected that the complainant had applied for the appointment in police service. Therefore, no case is made out for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the FIR lodged, the complainant had applied for service in police department and was expecting for the appointment when he met with the applicant. The applicant induced him by saying that he has connections in the police department and he can get him appointed to the service and by way of illegal gratification he received in cash Rs.5,00,000/- from him in advance. Thereafter, the complainant could not get any appointment in police department and when he made demand of the amount received by the applicant, the applicant has threatened him that the amount paid by him is now lost.

6. After considering on the entire material present in the case diary, I do not feel inclined to allow this application.

7. Accordingly, the application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail is rejected.

Sd/-
(Rajendra Chandra Singh Samant)
Judge