

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 472 of 2019**

Satanand Chandrakar, S/o. Shri Dileep Kumar, Aged About 30 Years, Occupation- Patwari (Govt. Servant), Posted At Kawardha, R/o. Village- Rengabod, Post Office- Mahali, Police Station- Kunda, Tahsil- Pandariya, Civil and Revenue District- Kabirdham, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through Station House Officer, Police Station- Sarkanda, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Ganesh Ram Burman, Advocate
For Respondent	: Mr. H.S. Ahluwalia, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****15/04/2019**

1. Apprehending arrest in connection with Crime No.1026/2018, registered at Police Station – Sarkanda, Bilaspur, District – Bilaspur (C.G.) for offence punishable under Section 420, 409, 120-B of the Indian Penal Code and Section 6, 10 of C.G. Ke Nieshhepako Ka Sarankshan Adhiniyam, 2005, 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. No case is made out against the applicant on the basis of the material present in the case diary. According to the FIR, this applicant is also one of the agent of the Dream Education Society, who has given inducement to the investor to make investment in the scheme of such society. This applicant has no connection with the said society and he has been falsely implicated in this case with other accused persons, only because he has lodged one FIR against police personnels,

who had abused and assaulted him, in a revengeful manner. This applicant has been granted anticipatory bail in similar other cases and the co-accused persons in this case has also been enlarged on anticipatory bail. Therefore, it is prayed that the applicant be granted anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect. It is submitted that this applicant was one of the partner of the director of the said Dream Education Society and he is not simply an agent. There is evidence regarding his involvement in commission of offence. Therefore, he should not be released on anticipatory bail.
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 he gave inducement to the different investor to make investment in the fraudulent scheme of Dream Education Society because of which the investments were made, which were lost. Hence, this case.
6. Considered the submissions made and the contents of the case diary. After considering on all the aspects of the case and for the reasons that in similar cases, the applicant and other co-accused persons have been granted anticipatory bail by this Court, hence for this reason, 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