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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 571 of 2019

- Pradeep Chandrakar S/o Surendra Chandrakar, Aged About 28 Years, Occupation Patwari, (Government Servant) Posted at Kawardha, R/o Ghorpendri, Police Station - Pandatarai, Tahsil Pandariya, Civil and Revenue District - Kabirdham Chhattisgarh., District : Kawardha (Kabirdham), Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Sarkanda, District - Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

MCRCA No. 614 of 2019

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

---- Applicant

Versus

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

---- Non-applicant

For Applicant – Shri Goutam Khetrapal, Advocate (in MCRCA No.571 of 2019),
Shri Ganesh Ram Burman, Advocate (in MCRCA No.614 of 2019),
For Non-applicant/State – Shri I. Lakra, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-05-2019

1. As these two applications arise out of the same crime number, i.e., Crime No. Crime No.316/2019 registered at P.S. Sarkanda, District - Bilaspur, Chhattisgarh, for the offence punishable under Section 420, 120-B/34 of the IPC, they are being decided by this common order.
2. These applications have been filed by the applicants under Section 438 of the Cr.P.C. for grant of anticipatory bail as they are apprehending arrest in

connection with aforesaid crime number and offence.

3. It is submitted by learned counsel for the applicants that these applicants have been falsely implicated in this case. The main accused in this case is Arun Kumar Verma. These applicants had been working as agent of Dream Education Society believing that it was a true concern. Later on, when the applicants came to know that the Dream Education Society is a fraudulent company they have on their own made efforts to make refund of the amount invested by the complainant and others to a great extent. These applicants are not beneficiary of the amount which were invested by the investors in the company. Therefore, it is prayed that they may be benefited with grant of anticipatory bail.

4. Learned counsel for the State/non-applicant opposes the applications submitting that because of promotion made by these applicants of fraudulent schemes of Dream Education Society a lot of investors have lost their deposits, therefore, their applications may be rejected.

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

6. Complainant Abhay Rao Fanse has lodged the FIR alleging that he was given inducement by Arun Kumar Verma, who informed him about his projects of his company Career Dream Education Academy, he also informed that by investing in these works the investor can get considerable profit. It was informed by the main accused that applicants Pradeep Chandrakar and Satanand Chandrakar are his partners under whose directions the project were carried out. The complainant getting induced made investment of total 15,40,000/- against which he received some profits and also bonds of the investment in the year 2016. But, later on, the payment has been stopped and on demand being made by the complainant he is being stalled by Arun Kumar Verma.

7. As there is no statement of the complainant that any deposit was made

by him through these applicants, I feel inclined to allow both these applications.

8. Accordingly, both the anticipatory bail applications are allowed. It is directed that in the event of arrest of these applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them 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.

These applicants shall also abide by the following conditions :

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they 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 they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge