

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 733 of 2019

- Omprakash Sonkar S/o Shri Ramvishal, Aged About 51 Years, R/o Lakhe Nagar, Sonkar Para, Police Station Purani Basti, Raipur, Tahsil and District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Kotwali, Rajnandgaon, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Non-applicant

For Applicant – Shri Tarun Dansena, Advocate.

For Non-applicant/State – Shri Arun Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-05-2019

1. Apprehending arrest in connection with Crime No.92/2019, registered at Police Station – Kotwali, Rajnandgaon, District Rajandgaon, Chhattisgarh for offence punishable under Section 420, 34 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. The applicant has no connection with agreement with Prateek Sonkar and Sudhesh Kumar Jain, therefore, he has no connection with commission of the offence. Therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the applicant and one another have obtained Rs.30,00,000/- from the complainant by way of inducement given to him. Therefore, he is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.
5. One Prateek Sonkar and Sudhesh Kumar Jain entered into an agreement for sale of landed property belonging to Prateek Sonkar, against

which, a sale consideration was given to Prateek Sonkar by Sudhesh Kumar Jain and thereafter Prateek Sonkar also executed a registered Power of Attorney in favour of Sudhesh Kumar Jain for making sale of the land in agreement. It is alleged by the complainant that the disputed land was sold to another person and the amount given by him has not been repaid.

6. There is no such agreement between applicant Omprakash Sonkar and the complainant, therefore, 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