

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 756 of 2019

- Chitrasen Devdas @ Rocky S/o Late Shri Narayan Devdas, Aged About 30 Years, R/o Village Patora, Police Station Utai, Tehsil Patan, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through Police Station Anda, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Non-applicant

For Applicant – Shri Avinash Chand Sahu, Advocate.

For Non-applicant/State – Shri Avinash K. Mishra, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26-07-2019

1. Apprehending arrest in connection with Crime No.73/2018, registered at Police Station – Anda, District Durg, Chhattisgarh for offence punishable under Section 306, 120-B, 420, 467, 468, 471, 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 not committed any offence as are registered in the FIR. The only reason that this applicant was in association with other co-accused persons who have committed the offence of fraud and cheating, he has been falsely implicated in this case. Similarly placed co-accused person as well as main accused person Nirbhay Jain has been granted anticipatory bail by this Court. Therefore, it is prayed that this application may be allowed.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, deceased Sanjay Banjare was owner of some property which was fraudulently sold out by the co-accused persons, because of which he become frustrated and committed suicide by hanging

himself leaving suicide note. The suicide note mentions name of this applicant as one of the persons responsible for his death. Hence, this case.

6. After considering on all the facts and circumstances of this case and for the reason that similarly placed co-accused persons have been granted anticipatory bail, 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