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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 764 of 2019

- Rustam Khan S/o Late Shri Tajuddin Khan, Aged About 56 Years, R/o Village Sankra, Koni, Post Harigaon, District Gadwa (Jharkhand), District : Garhwa, Jharkhand

---- Applicant

Versus

- State of Chhattisgarh Through The Superintendent of Police, Anti Corruption Bureau Bilaspur, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri T.K.Tiwari, Advocate.

For Non-applicant/State – Shri H.S.Ahluwalia, Deputy Advocate General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

17-06-2019

1. Apprehending arrest in connection with Crime No.39/1998, registered at Police Station – ACB, Bilaspur, Chhattisgarh for offence punishable under Section 13(1)(d), 13(2) of Prevention of Corruption Act and Section 420, 467, 468, 471 read with Section 120(B) 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 him. The applicant is engaged in business of supply of cattle and the cattle he has supplied were healthy and of value. Similarly placed co-accused Omprakash Singh has been granted anticipatory bail by this Court in MCRCA No.608 of 2019 by order dated 30-04-2019. Hence, 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. The FIR was lodged in the year 1998 with respect to scheme of 1994 regarding distribution of cattle to the beneficiaries. It is alleged that 13

beneficiaries were supplied with cows under a dairy scheme of Government. It is alleged that cows so supplied were not of good breed and healthy and excessive price were paid for the same causing loss to the state Exchequer. The allegation against this applicant is this, that he was one of the suppliers of said cows. Hence, this case.

6. After considering on the submissions and contents of the case diary and that similarly placed co-accused has 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