

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 897 of 2019**

Anjani Kant Singh, S/o. Shri Avadh Kishor Singh, Aged About 32 Years,
R/o. City Kotwali, Raipur, Tahsil and District- Raipur, Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : Police Station- Amanaka, District- Raipur,
Chhattisgarh.

---- Respondent

For Applicant	: Mr. J.K. Gupta, Advocate
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****08/08/2019**

1. Apprehending arrest in connection with Crime No.64/2019, registered at Police Station – Amanaka, District – Raipur (C.G.) for offence punishable under Section 420, 34 of the Indian Penal Code, 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 regarding commission of offence as alleged. The applicant does not deny that he received amount of Rs.80,000/- from Vishnu Sahu through cheque to help him out in obtaining license, as the applicant could not get the license, therefore, the amount, which he has received has been refunded to the complainant regarding which a compromise agreement has also been signed by the applicant and the complainant. Copy of which is filed along with the bail application. It is submitted that similarly placed co-accused Yashpal Singh has been released on

anticipatory bail by this Court vide order dated 11.07.2019 in M.Cr.C.(A) No.734 of 2019. Therefore, it is prayed that the applicant may also 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 has given inducement to Vishnu Sahu and another unemployed persons that he can use his influence for getting them appointed in job, therefore, no case is made out for grant of anticipatory bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the prosecution case, complainant Pukar Chandrakar is the proprietor of Pukar Training and Consultancy Center he has made a complaint against this applicant that the applicant has given inducement to the persons, who were taking training in his institution that he can get them employed and thereafter, has received money from the trainees as illegal gratification. Hence, this case.
6. Considered the submissions made and the contents of the case diary. Considering that the compromise has taken place between the applicant and the complainant and further similarly placed co-accused person has been granted anticipatory bail by this Court, 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