

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 944 of 2019**

- Rajendra Prasad Jangde S/o Late Marulal Jangde Aged About 42 Years R/o Village Mudwabhata, P.S. Kosir, District- Raigarh, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Sarsiva, District- Balodabazar-Bhatapara, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ankur Agrawal, Advocate.
For Respondent/State	: Shri Anand Verma, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****10/12/2019**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 171/2019 registered at Police Station Sarsiva, District – Balodabazar-Bhatapara, (C.G.) for the offence punishable under Section 420 of I.P.C.
2. As per the prosecution story, complainant lodged a written complaint alleging therein that applicant had taken sum of Rs. 1,50,000/- and Rs. 50,000/- from him on 13.10.2018 and 15.10.2018 respectively total sum of Rs. 2,00,000/- for providing his daughter a job. It is alleged that applicant has not provided job to complainant's daughter nor returned his money. On the basis of the said, offence has been

registered.

3. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He further submits that complainant is the brother-in-law (*Jija*) of applicant and due to that he had asked the applicant for financial help. Then applicant had collected his own Rs. 1,50,000/- and Rs. 50,000/- from Tukaram total amounting Rs. 2,00,000/- and transferred the said amount to Tarun Bharti through NEFT. When applicant asked complainant to return his money then he did not return the money. Thereafter, a false and fabricated report was made by the complainant against applicant. Virtually, Tarun Bharti has given a cheque of Rs. 2,00,000/- in the name of Monika Narang, i.e. daughter of the complainant which got bounced. Thereafter, Tarun Bharti made online transaction of Rs. 1,00,000/- and Rs. 55,000/- cash in the account of Monika Narang. Thus, when applicant demanded his money from complainant, then he was falsely implicated in the present case. Therefore, it is prayed that applicant may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution, without further commenting on other

merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.

7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) He 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 from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge