

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1047 of 2019

1. Seeta Goyal W/o Vinod Goyal, Aged About 56 Years, R/o Village Putkapuri, Durga Chouk, Teh. Pusour, District- Raigarh, Chhattisgarh Taluka Pusour District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
2. Ruchi Goyal D/o Vinod Goyal, Aged About 29 Years, R/o Village Putkapuri, Durga Chouk, Teh. Pusour District- Raigarh, Chhattisgarh., Taluka Pusour, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station Kotraroad, Taluka, Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicants – Shri Sanjay Agrawal, Advocate.

For Non-applicant/State – Shri Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

16-08-2019

1. Apprehending arrest in connection with Crime No.28/2015, registered at Police Station – Kotraroad, District Raigarh, Chhattisgarh for offence punishable under Section 420, 467, 468, 471, 406, 120-B, 34 of the IPC, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicants that the applicants have been falsely implicated in this case. These applicants are not at all connected with commission of the offence as it is alleged in the FIR. All the allegations are mainly against co-accused Vinod Kumar Goyal, only for the reason that the amount that was received from the company by co-accused Vinod Kumar Goyal was deposited in the account of these applicants, this applicants cannot be held responsible for commission of the offence. The co-accused has been granted regular bail by coordinate Bench of this Court. Further, charge sheet has also been filed. Therefore, it is prayed that these applicants may be granted anticipatory bail.

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, the main allegation is against co-accused Vinod Kumar Goyal that he made use of forged agreement for sale of land between Ray Industrial Project Pvt. Ltd. with the villagers which were never executed by the said villagers. However, a sum of advance was received by the co-accused of about Rs.10,70,000/- which were deposited in the bank account of these applicants, which has been withdrawn and misappropriated. Hence, this case.

6. Considering that all the allegations are mainly against the co-accused person and apart from the fact of deposit made in the account of these applicants there is no other direct allegation against them, 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 these applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them 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. These applicants shall also abide by the following conditions :

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that they 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 they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every

date given to them by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil