

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1162 of 2019

- Mahadev Katakwar S/o Late Tejram Katakwar, Aged About 62 Years, Occupation Retired E.C.G. Technician, C.S.E.B. Korba, R/o E- 477, Kailash Vihar, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station - House Officer, Police Station- Darri, District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Non-applicant

For Applicant – Shri Roop Naik, Advocate.

For Non-applicant/State – Shri Subhash Yadav, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

01-08-2019

1. Apprehending arrest in connection with Crime No.100/2019, registered at Police Station – Darri, District- Korba, Chhattisgarh for offence punishable under Section 420, 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. This applicant is not connected with any of the activities of his son and co-accused Gokul Katakwar. All the transactions regarding placement in employment has been taken place between co-accused Gokul Katakwar with the complainants. Only for the reason that this applicant is a retired employee of C.S.E.B. Korba, he has been made accused for the purpose of extracting the money lost by the complainants. Therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that there is evidence to show that this applicant gave inducement to the complainants that his son is capable of getting them placement in employment and he himself has received Rs.10,000/- from one of the

complainants. Therefore, he is not entitled for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. According to the prosecution case, co-accused Gokul Katakwar gave inducement to the complainants that he is capable of using his influence to get the complainants and others placement and against that he has received amount of Rs.7,17,900/-. On one occasion this applicant had also impressed upon the complainants that his son is capable of getting them placement and has received Rs.10,000/- from one of them. Hence, this case.

6. Considered on entire material present in the case diary. The main allegation is against the son of this applicant, namely, Gokul Katakwar who had given inducement regarding his influence in the department concerned. Therefore, after due consideration, 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

Aadil