

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 1445 of 2019**

Anurag Anand Kosriya, S/o Shri Vijay Anand Kosariya, aged about 31 years,
R/o New Rajendra Nagar, Raipur, District Raipur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Police Station City Kotwali, Raipur, District
Raipur (CG).

---- Non-applicant

For Applicant : Mr. Manoj Paranjpe and Mr. Anshul Tiwari, Advocates

For Non-applicant : Mr. Dinesh Kumar Tiwari, Dy.Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****13.09.2019**

1. Apprehending arrest in connection with Crime No.288/2019, registered at Police Station City Kotwali, Raipur, District Raipur for the offence punishable under Section 420 of Indian Penal Code, the applicant has filed this second bail application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail. His first bail application was dismissed for want of prosecution by this Court vide order dated 16.08.2019 passed in M.Cr.C.(A) No.1115/2019.
2. Case of the prosecution, in brief, is that the applicant has obtained an amount of Rs.10,80,000/- from complainants Chhatrapal Mathil, Afzal Khan and their relatives assuring them that he will provide government job in the Department of Ayushman Swasthya Beema Yojna. On 11.04.2019 he executed an agreement. Thereafter, he gave forged appointment letter of Paramount Health & Insurance TPA Private Limited.
3. Counsel for the applicant submits that the applicant is the student of MBBS at Pt. J.N.M. Medical College, Raipur. He had taken loan for

domestic work. He had also made some part payment. He is an innocent person and has been falsely implicated in the present case and as such the applicant may be released on anticipatory bail.

4. On the other hand, counsel for the State opposed the prayer for grant of anticipatory bail. He further submitted that one another criminal case under IPC has been registered against the applicant.

5. It is well settled legal principle that while considering the bail application defence of accused cannot be looked into.

6. Looking to the above mentioned facts and circumstances of the case, looking to the material available on record against the applicant, looking to the seriousness of the offence and looking to the impact of granting anticipatory bail to the applicant on society, this Court is not inclined to grant anticipatory bail.

7. Accordingly, anticipatory bail application filed under Section 438 of CrPC is rejected.

8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-