

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1471 of 2019**

- Bhajan Singh S/o Late Bhagat Singh Aged About 44 Years R/o Nearby Shitla Mandir, Risali, Bhilai District Durg Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Sector Bhilai Nagar, Sector 6, District Durg Chhattisgarh.

---- Respondent

For Applicant	: Ms. Arti Chandra Dut, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**29/11/2019**

1. The applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 326/17 registered at Police Station Bhilai Nagar, District – Durg, (C.G.). for the offence punishable under Sections 420, 380, 120-B, 34 of Indian Penal Code.
2. As per the prosecution story, applicant and other co-accused persons Sadaram Ratre and Tejram are said to have defrauded with the complainant Dilip Kumar to the tune of Rs. 6,00,000/- and thereby committed the offence in question.
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 name of the applicant is not mentioned

in the F.I.R. Also, applicant has played no role in the alleged act. It is further submitted that main accused of the case are Tejram and Sadram Ratre and they have already been granted bail. No custodial interrogation is required in the matter. Looking to the above, 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 and further considering the fact that in the F.I.R. name of the present applicant is not mentioned and other co-accused persons have already been granted bail, therefore, 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/her 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 his/her by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge