

**HIGH COURT OF CHHATTISGARH, BILASPUR**  
**MCRCA No. 1703 of 2019**

- Rev Shamsheer Samuel S/o Samuel Filkus Aged About 57 Years  
Profession Presbyter Incharge (Pastor) R/o Sant Paul Church Area,  
Opposite Raj Bhawan, Civil Lines, Raipur District Raipur  
Chhattisgarh.

**---- Applicant**

**Versus**

- State Of Chhattisgarh Through Station House Officer, Pithora,  
District Mahasamund Chhattisgarh.

**---- Respondent**

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| For Applicant        | : Mr. Anurag Jha, Advocate. |
| For Respondent/State | : Mr. Alok Nigam, G.A.      |

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**Hon'ble Shri Justice Arvind Singh Chandel**  
**Order On Board**

**15/11/2019**

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 165/2019, registered at Police Station Pithora, Distt. Mahasamund (C.G.) for the offence punishable under Sections 420 & 511 of the IPC.
2. As directed by this Court vide order dated 16.09.2019, in WPCR No. 805/2019, an FIR has been registered against the applicant. It is alleged that in the year 2015, the applicant obtained Rs. 3,00,000/- from one Dilip Sahu for construction of his shop in the land of Church where he was a bishop. When the objection raised, the applicant returned Rs. 1,00,000/- and thereafter neither he returned the remaining amount to the Church nor to Dilip Sahu.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. Prima facie no offence can be made out against the applicant. He further submits that during inquiry Dilip Sahu has categorically stated that there is no dispute between him and the applicant, the whole amount was returned by the applicant. On the basis of his statement, police has arrived to the conclusion that no criminal case can be made out and drawn proceedings under Section 155 of Cr.P.C. by suppressing this fact that complainant had filed a WPCR No. 805/2019 and this Court has ordered for registering the FIR. The applicant had filed WA 495/2019, against the said order which is pending and vide order dated 24.10.2019, interim protection has already been granted in favour of the applicant. He finally submits that the applicant is a bishop and reputed person and there is no chance of his absconding. Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties. Without further commenting on merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
  - I. That the accused/applicant shall made himself available

for interrogation before the concerned Investigating Officer as and when required;

- II. The accused/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. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. 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.

Sd/-

**(Arvind Singh Chandel)**  
**Judge**