

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 22 of 2020**

1. Basant Fule, S/o Shivcharan Aged About 40 Years (Driver) R/o Village - Kalyanpur, Police Station Dongargarh, District – Rajnandgaon, Chhattisgarh.
2. Deva, S/o Shyamlal, Aged About 30 Years (Driver) R/o Village - Kalyanpur, Police Station Dongargarh, District - Rajnandgaon Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh Through Police Station - Dongargarh, District – Rajnandgaon, Chhattisgarh.

---- Respondent

For Applicants	: Shri Keshav Dewangan, Advocate.
For Respondent/State	: Smt. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****11/06/2020**

1. The Applicants have preferred this first bail application under Section 438 of Cr.P.C. for apprehending their arrest in connection with Crime No. 677/2019 registered at Police Station Dongargarh, District – Rajnandgaon, (C.G.) for the offence punishable under Sections 420, 511/34 of I.P.C.
2. In this case, there are three accused persons. As per the case of the prosecution, on 11.12.2019, during vehicle checking, two transport vehicles were stopped and upon inquiry farmer Indallal informed that

the paddy procurement centre has issued token to him for sale of the paddy but paddy which was being transported belongs to one Mukesh Fule. It is alleged that at the time of incident both applicants were found in the said vehicle. On the basis of the report made by Manish Chitle, offence has been registered.

3. Learned Counsel appearing for the Applicants submits that the Applicants are innocent and have been falsely implicated in the present case. He further submits that main accused person is Mukesh Fule and he has already been arrested. Thus, *prima facie*, no case can be made out against present applicants. Therefore, it is prayed that applicants 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.
6. Taking into consideration the submissions put-forth on behalf of the parties and considering the facts and circumstances of the case, evidence collected by the prosecution, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicants.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them 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. They shall also abide by all the following terms and conditions :
 - (i) 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 from disclosing such fact to the Court,
 - (ii) They shall not act in any manner which will be

prejudicial to fair and expeditious trial, and

- (iii) They shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge

Prakash