

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 370 of 2020**

- Mohd. Junaid Meman S/o Haji Ismail Meman Aged About 53 Years R/o Anant Imagine, Purana Bus Stand, District- Korba, Chhattisgarh.

---- Applicant**Versus**

1. The State Of Chhattisgarh Through District Magistrate Korba, Chhattisgarh.
2. Sharad S. Masih Aged About 47 Years, House No. MIG-42, Push Bihar, Pt. Ravishanker Shukla Nagar, Korba Tahsil And District- Korba, Chhattisgarh.

---- Respondents

For Applicant	:-	Mr. Parag Kotecha, Advocate
For Respondent-State	:-	Mr. K.K. Singh, G.A.
For Objector	:-	None

Proceedings through Video Conferencing**Hon'ble Shri Justice Prashant Kumar Mishra**
Order On Board**26/06/2020**

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Complaint Case No.2357/2019, registered by Learned JMFC, Korba for offence punishable under Section 420 of the IPC.

2. Applicant granted loan of Rs. 2 Lacs to the respondent No.2.

The said respondent repaid Rs.48,000/- and for the remaining amount of Rs. 1,52,000/-, he issued a cheque in the name of the applicant. When the cheque was presented for encashment, it was dishonored, therefore, applicant has filed a complaint under Section 138 of the Negotiable Instruments Act. The present private complaint case has been filed as a counter blast to the proceedings initiated by the applicant for dishonor of the cheque.

3. Learned State Counsel would oppose the prayer for grant of bail. However, no one appears for the objector, despite service of notice and having appeared before this Court on previous dates of hearing.

4. Considering the nature of allegation and genesis of the offence, this Court is inclined to extend the benefit of anticipatory bail.

5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

(I) he shall make himself available for interrogation by a police officer as and when required;

- (ii) 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 from disclosing such facts to the Court or to any police officer.

SD/-
Judge
(Prashant Kumar Mishra)

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