

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 491 of 2020**

1. Yashwant Dubey S/o Shri Laxman Prasad Dubey, aged about 39 years,
 2. Smt. Asha Dubey W/o Yashwant Dubey, aged about 32 years,
- Both are R/o Village- Kuruva, Post- Sahaspur Lohara, District Kabirdham (C.G.)

---- Applicants**Versus**

State of Chhattisgarh through Station House Officer, Police Station Taregaon Jungle, District Kabirdham (C.G.).

---- Respondent

For Applicants	:	Mr. Dharmesh Shrivastava, Advocate
For Respondent	:	Mr. Alok Nigam, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**18/08/2020**

1. The matter is heard through video conferencing.
2. The applicants have filed this application under Section 438 of the Cr.P.C. for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No. 03/2020 registered at Police Station Taregaon Jungle, District Kabirdham (C.G.) for the offence punishable under Sections 420/34 of the IPC.
3. According to the case of the prosecution, a report has been lodged by some villagers alleging therein that co-accused Satyanarayan has introduced himself as Insurance Officer under Pradhan Mantri Loan Scheme and allured the villagers by saying that he will help them to grant various benefits of the government scheme. It is also alleged

that the villagers were cheated by co-accused Satayanarayan who had taken stamp papers and blank cheques from the villagers. It is also alleged that on some occasions, the present applicants also visited to the villagers along with co-accused Satayanarayan and they also allured the villagers, and thereby the applicants also committed crime in question. On the basis of the above report, offence has been registered.

4. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and they have been falsely implicated in the present case. There is no direct evidence against the applicants. All the allegations have been made against co-accused Satyanarayan. There is also no material on record which shows that the applicants in any manner had allured to any of the villagers or obtained any money from them, therefore, prima-facie offence under Section 420/34 of the IPC is not made out against the applicants. He prays to extend the benefit of anticipatory bail to the applicants.
5. I have heard counsel for the parties.
6. Considering the facts and circumstances of the case, argument advanced by counsel for the parties and particularly considering the fact that the main accused in this case is co-accused Satyanarayan and all allegations are against him, and there is no direct evidence against any of the applicant regarding allurement or obtainment of any money from the villagers, without further commenting on other merit of the cases, I am inclined to give benefit of anticipatory bail to the applicants.
7. Accordingly, the anticipatory bail applications are allowed.

8. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- with one surety each for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:

- i. That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer and if their specimen signature would be required they will submit their specimen signature as and when required;
- ii. The accused/applicants 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/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

9. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge