

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 641 of 2020

Harshpal Bhagat S/o Late Amarjeet Bhagat, Aged About 32 Years R/o
Beside Jabbal Gali, Near Mangla Chowk, Bilaspur, District : Bilaspur,
Chhattisgarh

---- Applicant

Versus

The State Of Chhattisgarh Through Station House Officer Of Police
Station Civil Lines, Bilaspur, District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shivang Dubey, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

15.07.2020

1. The matter is heard through Video Conferencing.
2. 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. 204/2020, registered at Police Station: Civil Lines, Bilaspur, District: Bilaspur (C.G.) for the offence punishable under Section 420, 467, 468, 471, 120-B & 34 of IPC.
3. According to the case of the prosecution, the present Applicant is the husband of co-accused person namely Prapti Roy Bhagat who is an employee of Chhattisgarh State Power Distribution Company Limited (CSPDCL) posted at Bilaspur (C.G.). The co-accused has misappropriated the amount of electricity bill amounting to Rupees One Crore Nine Lakhs from the said company. Allegations against the present Applicant is that being the husband of the co-accused, he conspired with co-accused by alluring the consumers and collected the amount of electricity bill and not deposited the same in the said company, thereby, he is involved in the said Crime-in-question. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant has been falsely implicated in the present case. He submits that

main allegations are against the wife of the Applicant who has already got benefit of interim bail by this Court. He also submits that in the statement recorded under Section 161 of the Cr.P.C there is no direct evidence against the present Applicant therefore, it is prayed that the Applicant may be granted benefit of anticipatory bail.

5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case and arguments adduced by counsel for the parties, particularly considering that main allegations are against the co-accused person and there is no direct evidence against the present Applicant, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the Applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. 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