

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 841 of 2020

Mukesh Kumar Bandhe S/o Ramsharan Bandhe Aged About 28 Years R/o Village- Sakara, Amleshwar Tehsil- Patan, District (Revenue And Civil)- Durg, Chhattisgarh

--- Applicant

Versus

State Of Chhattisgarh Through- Police Station- Mohannagar, District (Revenue And Civil)- Durg, Chhattisgarh

---- Respondent

For Applicant	: Mr. Sumit Jhavar, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.
For Objector	: Mr. Mahesh Kumar Mishra, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

17/08/2020

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. 136/2020, registered at Police Station Mohan Nagar, Distt. Durg (C.G.) for the offence punishable under Section 420 of the IPC.
3. As per prosecution story, a written complaint has been filed by complainant Anandi Ram against the applicant alleging therein that the applicant has obtained Rs. 2,00,000/- from him for providing job to his son but neither the applicant provided job to son of the complainant nor he returned his money. On the basis of said written complaint, offence has been registered against the applicant.
4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some misunderstanding between the parties. He further submits that the applicant had taken loan of Rs. 2,00,000/- from the complainant and returned the same through cheque. The Counsel lastly submits that both the parties have settled their matter and now the complainant does

not want to take any action against the applicant. Hence, 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. Learned Counsel appearing on behalf of objector supported the argument advanced by Counsel for the Applicant.
7. I have heard learned Counsel for the parties.
8. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by the counsel appearing for the parties and further considering the fact that both the parties have already settled their matter. 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.
9. Accordingly, the anticipatory bail application is allowed.
10. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond for a sum of Rs. 25,000/- with one solvent 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 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