

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 995 of 2020

Kunal Kumar Gupta S/o Shri Dinesh Gupta Aged About 21 Years
R/o Bhattipara, Ward No. 5, Baikunthpur, Koria, District : Koriya
(Baikunthpur), Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Police Station Arkshi Kendra,
Bodhghat, Jagdalpur, District : Bastar(Jagdalpur), Chhattisgarh

---- Respondent

For Applicant	: Mr. Mayank Chandrakar, Advocate.
For Respondent/State	: Mr. Ghanshyam Patel, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

17.09.2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this First 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.193/2020, registered at Police Station: Arkshi Kendra, Bodhghat, Jagdalpur, District: Bastar (C.G.) for the offence punishable under Section 420, 467, 468 and 120-B of IPC.
3. In this case, there are total two accused persons. According to the case of prosecution, one Moraj Chandrakar, lodged an FIR, stating therein that, he is the District Manager of CSC E-Governance India Ltd Company and the duty of this centre is to give details about Ujjwala Yojna and KCC Card to the

Government. Further stated that co-accused persons namely Umesh Kumar who is representing himself as employee of department and representative of Kunal Creation illegally received Rs.1,500/- from the local resident on the ground that he will appoint them as surveyor. On the basis of said, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case. He submits that there is no material on record on the basis of which any offence can be made out against the present Applicant. Main allegations are against co-accused person namely Umesh Kumar who is already enlarged on bail. Virtually, he obtained money from the persons. He further submits that there is nothing on record on the basis of which it can be said that, the co-accused Umesh Kumar was engaged by the present Applicant therefore, he prays for grant of anticipatory bail to the Applicant.
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, arguments advanced by the counsel for the parties also considering the fact that main allegations are against the co-accused who is already enlarged on bail and further considering the fact that there is no any direct evidence available 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**