

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC A No. 1180 of 2020

1. Madan Lal Agrawal S/o Late Shri Jagat Ram Agrawal, Aged About 54 Years Occupation Business, R/o Ambikapur Road, Pathalgaon, P.S. And Tehsil Pathalgaon, District Jashpur Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, City Kotwali Raigarh District Raigarh Chhattisgarh

---- Respondent

MCRC A No. 1208 of 2020

1. Shruti Agrawal W/o Shri Manish Agrawal, Aged About 30 Years R/o Village And Post - Pathalgaon, Police Station And Tehsil - Pathalgaon, District - Jashpur Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh, Through, Station House Officer, City Kotwali Raigarh, District - Raigarh Chhattisgarh.

---- Respondent

MCRC A No. 1221 of 2020

1. Manoj Agrawal S/o Shri Madan Lal Agrawal Aged About 29 Years Occupation Business, R/o Ambikapur Road, Patthalgaon, Police Station And Tahsil Patthalgaon, And District Jashpur Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Raigarh Tahsil And District Raigarh Chhattisgarh

---- Respondent

MCRC A No. 1264 of 2020

1. Manish Agrawal S/o Shri Ghanshyam Agrawal, Aged About 26 Years R/o. Patthalgaon, Police Station And Tahsil - Patthalgaon, And District - Jashpur (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh Through Station House Officer Of The P/s.- City Kotwali, Raigarh, Tahsil And District - Raigarh (Chhattisgarh)

---- Respondent

For respective
ApplicantsMr. Surfraj Khan & Mr. Abhishek Saraf,
Advocates

For Respondent /State

Mr. Rakesh Sahu, Dy. Govt. Advocate

For Objector

Mr. Hari Agrawal, Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board3/12/2020

1. Since all the applications arising out of same crime number i.e. Cr. No.514/2020 they are being considered and decided by this common order.
2. The applicants have preferred these applications for grant of anticipatory bail, as they apprehend their arrest in connection with Crime No.514/2020 registered at Police Station City Kotwali, Raigarh, District Raigarh, for offence punishable under Section 420 read with Section 34 of the Indian Penal Code.

3. The only allegation against the applicants is that the accused Manish Agrawal and his wife Shruti Agrawal obtained payment of Rs.51,000/- from the complainant promising to execute the sale deed in respect of their land admeasuring 14.25 acres, however, subsequently the land was sold to some other person and, thus the complainant has been defrauded to Rs.51,000/-.
4. Learned State Counsel and learned counsel appearing for the objector would oppose the prayer for grant of bail.
5. The genesis of the offence lies in a land transaction, therefore, it seems when the transaction does not materialise the FIR has been lodged, which has elements of civil dispute.
6. The offence registered against the applicants is otherwise triable by the Judicial Magistrate First Class. It does not appear that custodial interrogation of the applicants would be necessary, therefore, considering all relevant aspects of the matter, this Court is inclined to release the applicants on anticipatory bail.
7. Accordingly, all the applications are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (a) they shall make themselves available for interrogation by a police officer as and when required;
- (b) they 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.
- (c) they shall not influence the witnesses during pendency of the trial.

Sd/-
(Prashant Kumar Mishra)
Judge

Gowri