

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1705 of 2019**

- Narendra Thakur S/o Late Ghanshyam Thakur Aged About 32 Years Constable Number 192, R/o Quarter Number 36/815, Plice Line, Raipur, Tahsil And District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Civil Line, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri C.R. Sahu, Advocate
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**10/02/2020**

1. The applicant has preferred this first bail application filed under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 558/2019 registered at Police Station Civil Line, District – Raipur, (C.G.) for offence punishable under Section 420 of I.P.C.
2. As per the prosecution story, on 30.09.2019 complainant Shesh Rao Gopne lodged a report stating therein that he had taken a loan of Rs. 3,50,000/- from State Bank of India, New Shanti Nagar, Raipur (C.G.) for construction of a house, and at the time of processing of land, he had given a blank cheque to the present applicant, allegedly, applicant withdrew the amount of Rs. 2,85,000/- without his consent, thereby committed crime in question. On the basis of the said report, offence has been registered.

3. Learned Counsel appearing for the applicant submits that the applicant is innocent and has been falsely implicated in the present case due to some financial dispute between the parties. He further submits that both the parties have settled the matter out of Court and also, parties have executed a compromise deed in this regard. Looking to the above, it is prayed that applicant may be released on anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case, evidence collected by the prosecution and further considering the fact that both the parties have settled their matter out of Court, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on his furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) He 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 fact to the Court,
- (ii) He shall not act in any manner which may be prejudicial to fair and expeditious trial, and
- (iii) He 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