

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1815 of 2019**

- Santosh Prasad Gupta S/o Shri Sharan Prasad Gupta, Aged About 42 Years R/o Village Dokda, Tahsil Kansabel, District Jashpur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Kansabel, Outpost Dokda, District Jashpur, Chhattisgarh.

---- Respondent

For Applicant : Shri Anil Gulati, Advocate.

For Respondent/State : Shri Ajay Kumrani, P.L.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****13/02/2020**

1. The applicant is apprehending his arrest in connection with Crime No. 121/2019 registered at Outpost – Dokda, Police Station Kansabel, District – Jashpur, (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. Facts of the case in brief is that, on 23.10.2019 complainant Imran Ansari made a written complaint alleging therein that in the month of July, 2010, he obtained the insurance policy from the applicant and sum of Rs. 9,000/- quarterly premium was fixed. Complainant used to give Rs. 100/- per day to the applicant. When he received notice from LIC Office, he visited the office where he was informed that since 2015, no premium amount has been deposited in his account, thus,

the applicant has committed the 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. It is further submitted that *prima facie*, no offence under Section 420 of I.P.C. is made out against applicant. Also, there is nothing on record on the basis of which it can be established that complainant has given any premium amount to the applicant against his LIC Policy. Looking to the above, it is prayed that, applicant may be granted benefit of 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, 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 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 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 from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will 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