

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1953 of 2019**

Hitesh Dewangan S/o Late Shri Basant Dewangan, aged about 40 years R/o Pokhar road Shivaji Chowk Bramhcharya Aasharm, Ward No. 1, Rajim Distt. Gariyaband (C.G.)

---- Applicant**Versus**

State of Chhattisgarh Through Arkshikendra Balodabazar, Distt. Balodabazar Bhatapara (C.G.).

---- Respondent**AND****MCRCA No. 551 of 2020**

Devendra Thakur, aged about 40 years S/o Late Shri Arjun Singh Thakur R/o H.No. 67, Dr. Khubchand Bhaghel Ward, Changorabhata, Ward No. 67, Raipur, District Raipur (C.G.)

---- Applicant**Versus**

State of Chhattisgarh Through Station House Officer, Police Station City Kotwali, District Balodabazar (C.G.).

---- Respondent

For Applicant in MCRCA No. 1953/2019	: Mr. Arvind Dubey, Advocate
For Applicant in MCRCA No. 551/2020	: Mr. J.N. Nande, Advocate
For Respondent	: Mr. Alok Bakshi, Addl. Adv. General

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**28/05/2020**

1. The matter is heard through video conferencing.
2. Since both the cases relate to same crime number, therefore, they are being decided by this common order.

3. The applicants have filed these applications for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No. 643/2019 registered at City Kotwali, Distt. Balodabazar (C.G.) for the offence punishable under Sections 420 read with Section 34 of the Indian Penal Code.
4. As per prosecution story Complainant Ishawar Prasad Sahu had lodged a report on 01/11/2019 alleging therein that both the applicants has taken Rs. 4,50,000/- from him to provide employment to his wife who appeared in the examination for the post of ADEO conducted by VYPAM, however, the applicants did not provide job and also not returned the money to the Complainant.
5. Learned counsel appearing on behalf of the applicants submit that the applicants are innocent and they have been falsely implicated in the present case. They further submit that there is no documentary evidence which shows that the applicants had taken Rs. 4,50,000/- from the Complainant to provide any job. They further submit that the alleged transaction is of the year 2017 and the FIR has been lodged on 01/11/2019, therefore, the entire case is suspicious.
6. Learned counsel appearing on behalf of the State opposes the said applications.
7. I have heard counsel for the parties.
8. Considering the facts and circumstances of the case, and the argument advanced by counsel for the parties and further considering that there is no documentary evidence showing that the applicants have taken money for providing job to the wife of the Complainant, without further commenting on merit of the case, I am inclined to give

benefit of anticipatory bail to the applicants.

9. Accordingly, the anticipatory bail applications are allowed.
10. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.10,000/- with one surety each for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:
 - i. That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/applicants 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/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - iv. The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
11. Certified copy, as per rules.

Sd/-
(Arvind Singh Chandel)
Judge