

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1935 of 2019**

- Dinesh Kumar S/o Lakhanlal Baghel Aged About 52 Years Occupation Cultivator, R/o Village Pendri, Police Station Nawagarh, District Bemetara Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Mungeli, District Mungeli Chhattisgarh.

---- Non-Applicant

MCRCA No. 1942 of 2019

- Onkar Daharia S/o Shri Namdas Daharia, Aged About 37 Years Caste Satnami, R/o Village Chhitapur PS Lormi District Mungeli Chhattisgarh At Present Prithvigrin Colony Mungeli District Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through SHO City Kotwali Mungeli District Mungeli Chhattisgarh

---- Non-Applicant

MCRCA No. 1975 of 2019

- Jay Kumar Ogre Son Of Kosharam Ogre Aged About 28 Years Caste Satnami, Resident Of Village- Keshli Khurd, Police Station- Fasterpur, Tahsil And District- Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station-City Kotwali, Mungeli, District- Mungeli Chhattisgarh

---- Non-Applicant

MCRCA No. 1992 of 2019

- Sevak Kumar Daharia S/o Shri Namdas Daharia Aged About 40 Years
Caste Satnami R/o Village Chhitapar, P. S. Lormi, District Mungeli
Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, City Kotwali,
Mungeli District Mungeli Chhattisgarh

---- Non-Applicant

MCRCA No. 2002 of 2019

- Laxmikant Singh S/o. Bhanupratap Singh Aged About 50 Years
Resident Of Shikshak Nagar, Mungeli, Police Station-City Kotwali,
District- Mungeli Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police
Station- City Kotwali, Mungeli, District- Mungeli Chhattisgarh

---- Non-Applicant

For Applicants : Shri Bharat Rajput and Shri Dheerendra Pandey, Adv.
For Non-Applicant : Ms. Fouzia Mirza, Additional AG.
For Objector : Ms. Seema Singh, Advocate.

Proceeding through Video Conferencing

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

25/06/2020 :

1. The aforesaid bail applications are being disposed of by this

common order as they arise out of Crime No.672/2019, registered at Police Station City Kotwali, Mungeli District Mungeli for offences punishable under Sections 294 & 506/34 of the IPC and Sections 3 & 4 of the Karja Act.

2. The complainant's husband obtained a loan of Rs.4 lakhs from Dinesh Kumar Baghel, (applicant of MCRCA No.1935/2019). It is alleged that despite having returned a sum of Rs.13 lakhs, the accused persons are threatening them to return the amount and are also seeking sexual favour.
3. On the other hand, the applicants have argued that before lodging the present FIR, they have filed a proceeding under Section 138 of the Negotiable Instruments Act for the reason that the cheque given by the complainant party as security for repayment of loan has been dishonoured. The complainant party has not repaid the loan thus far.
4. Considering the fact that the main dispute appears to be of obtainment of loan and its non-payment and for the fact that the said loan transaction has happened sometimes in the year 2016, this Court is of the considered view that present is a fit case for grant of anticipatory bail to the applicants.
5. Accordingly, 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/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) they shall make themselves available for interrogation by a police officer as and when required;

(ii) 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.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve