

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 2144 of 2019**

- Devcharan Tandan S/o Late Mangal Tandan (Mangalram Tandan) Aged About 52 Years R/o Village , Kolar, Post Office And Police Station - Abhanpur, District - Raipur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station - Abhanpur, District - Raipur Chhattisgarh.

---- Respondent

For Applicant	Mr. Shivendu Pandya, Advocate
For Respondent /State	Mr. KK Singh, Government Advocate
For Objector	Ms. Upasna Mehta, Advocate

Proceedings through Video Conferencing**SB: Hon'ble Mr. Justice Prashant Kumar Mishra****Order On Board****14/7/2020**

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No.520/2019 registered at Police Station Abhanpur, District Raipur (CG) for the offence punishable under Section 420 of IPC.
3. The applicant has collected Rs.2.5 lakhs each from two victims

namely Uttam and Chetan Banjare on promise that he shall arrange employment for them.

4. On 26.6.2020, Mr. Shivendu Pandya, learned counsel for the applicant stated that the applicant is ready to return the amount.
5. Today, learned counsel for the applicant would submit that due to pandemic COVID-19 situation, the applicant is financially hard-pressed, therefore, for the present, he would find it difficult to arrange the funds.
6. Considering the nature of allegations and that the applicant desires to refund the amount, it is directed that the applicant shall be released on anticipatory bail on a condition amongst others that the applicant shall refund the amount to the victims within 3 months from today, failing which, the victims would be entitled to move before this Court seeking cancellation of the present order allowing anticipatory bail to the applicant.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing 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) he shall make himself available for interrogation by a Police Officer as and when required;
 - (ii) 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 for disclosing such facts to the Court or to any Police Officer.

- (iii) he shall not influence the witnesses during pendency of the trial.

8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna