

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 2160 of 2019

- Nigmendra Pratap Singh S/o Dr. Mahendra Pratap Singh Aged About 45 Years R/o Village Nadi Road, Bhatipara, Baikunthpur District Koriya Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Baikunthpur, District Koriya Chhattisgarh

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Advocate.
For Respondent/State	: Ms. Smriti Shrivastava, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

28/01/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 303/2019, registered at Police Station Baikunthpur, Distt. Koriya (C.G.) for the offence punishable under Sections 384, 420 r/w Section 34 of the IPC.
2. As per prosecution story, on 16.11.2019, complainant Abhishek Sharma and other students of Marg Darshan Sansthan College of Nursing made a written report before the concerned police station alleging therein that due to their short attendance in College, the applicant being a Manager of said College demanded Rs. 200/- (per day of absence) from each student, failing which he has not given admit cards to the students due to which they could not appear in the examination. On the basis of said report, offence has been registered.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant neither a manager nor he worked in Marg Darshan Sansthan College of Nursing, he is the employee of District Court Baikunthpur (C.G.) and working as Record Keeper (Annexure A-3). The Counsel further submits that the applicant has no contact with the said college, there is nothing on record on the basis of which any offence can be made out against the applicant, therefore, he may be granted benefit of anticipatory bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the facts that the applicant neither a manager nor he worked in Marg Darshan Sansthan College of Nursing, he is the employee of District Court Baikunthpur (C.G.) and working as Record Keeper (Annexure A-3). Without further commenting on other merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 20,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant 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/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
- IV. The applicant 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