

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 208 of 2021**

- Pradeep Kumar Sukhdave S/o Late Shri B. L. Sukhdave, Aged About 53 Years, R/o B-117, Ntpc Seepat, Post Ujjawal Nagar, Police Station Seepat District Bilaspur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Seepat District Bilaspur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Devershi Thakur, Adv.
For Respondent/State	: Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24.06.2021**

1. Heard.
2. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 108/2020 registered at Police Station- Seepat District Bilaspur (C.G.) for commission of the offence punishable under Sections 406, 420 of IPC.
3. Case of the prosecution is that, it has been alleged that present applicant committed fraud with complainant on the pretext of giving loan and later on, money was not given back to complainant. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that applicant had also invested huge amount of money and is having same footing the complainant in this case. He next added that applicant is also victim in this case and there is also delay in lodging an FIR, therefore, the present

applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail submitting that applicant has nearly deposited a sum of Rs. 5,50,000/- from the complainant and other persons and committed fraud, the offence committed by the applicant is of serious in nature, therefore, no case is made out to release him on anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular offence is triable by Judicial Magistrate First Class, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 50,000/- with one local surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make himself available for interrogation before the concerned investigating officer as and when required.
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that 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/-
(Rajani Dubey)
Judge**