

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 364 of 2021**

- Manoj Kumar Chandra, S/o Chetram Chandra, Aged About 35 Years, R/o Village Nandeli Post Office- Aamgaon, Tehsil & Police Station- Jaijaipur, District-Janjgir-Champa Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Jaijaipur District Janjgir-Champa Chhattisgarh.

---- Respondent

For Applicant	: Mr. Malay Shrivastava, Adv.
For Respondent/State	: Mr. B.L. Sahu, P.L.
For Objector	: Mr. Yogesh Kumar Chandra, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****28.06.2021**

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. 10/2021 registered at Police Station- Jaijaipur, District Janjgir-Champa (C.G.) for commission of the offence punishable under Section 420 of IPC.
3. Case of the prosecution is that, it has been alleged that present applicant obtained a sum of Rs. 10 lakh from the complainant on the name of lease transfer and committed fraud. 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 Environment Department has also issued NOC in favour of the applicant and there is no antecedent has been registered against the present applicant, 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 there is a registered FIR against the applicant and it is alleged that applicant has misappropriated a sum of Rs. 10 lakh, therefore, no case is made out to release him on anticipatory bail.
6. Learned counsel for the objector opposes the application for anticipatory bail to the applicant by submitting that there is serious allegation of committing fraud of Rs. 10 lakh against the applicant.
7. After hearing counsel for the parties and considering the totality of the facts and circumstances of the case, quality of evidence, 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. 1,00,000/- 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**

Ruchi