

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Proceedings through Video Conferencing****MCRCA No. 154 of 2021**

- Naradram Sahu S/o Late Sakharam Sahu Aged About 56 Years R/o Village Rudri, P.S. Rudri, Tahsil And District Dhamtari CG

Applicant**Versus**

State of Chhattisgarh through the Station House Officer,
Police Station D.D. Nagar, Raipur, District Raipur CG

Non-Applicant**MCRCA No. 362 of 2021**

- Bhagirathi Sinha S/o Sakharam Sinha Aged About 48 Years R/o Thakur Dev Choura Ward No. 21 Kendri Raipur District Raipur CG

Applicant**Versus**

- State of Chhattisgarh through the Station House Officer
Police Station D. D. Nagar Raipur District Raipur CG

---- Non-Applicant

For Applicants : Shri Goutam Khetrapal, Adv.
For State/Non-Applicant : Shri Raghvendra Verma, Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****30-6-2021**

1. As both the above MCRCAs arise out of same crime number of same police station, they are being heard together and disposed of by this common order.
2. The applicants have preferred these applications under Section 438 of the Cr.P.C. for grant of anticipatory bail as they

apprehend their arrest in connection with Crime No. 495/2020 registered at Police Station D.D. Nagar, Raipur Distt. Raipur (CG) for the offence punishable under Sections 420, 467, 468, 34 of the Indian Penal Code.

3. As per the case of the prosecution, co-accused persons of the case namely Krishna Kumar Sahu, Luiyas Kumar, Santosh Pal along with others cheated innocent people in the pretext of providing them job in Railway department and obtained Rs. 2 lacs each from many people. A diary is annexed along with case diary in which name of the applicant Naradram Sahu finds place at Sr. No. 6. According to the memorandum statement of main accused, applicant Bharathi Sinha was also involved in the cheating. Against the main accused Krishna Kumar Sahu and others, charge sheet under Section 420, 467, 468, 34 of the Indian Penal Code has been filed.

4. Counsel for the applicants submitted that the applicants are innocent and have been falsely implicated in the crime. Total 9 accused persons are there. Four accused persons have been granted regular bail. He further submits that accused Krishna Kumar Sahu is main accused and he has been granted regular bail by the court below. Only on the basis of his memorandum statement, applicant Bhagirathi Sinha has been falsely implicated in this case. Applicant Naradram has not played any role in the crime. He also submits that the applicants have not obtained any amount from complainants and have not committed any cheating.

Charge sheet against main accused has been filed. He submits that they will not temper with the evidence. Therefore, the applicants may be granted anticipatory bail.

5. On the other hand, learned State counsel opposes the applications for grant of anticipatory bail.

6. Considering the facts and circumstances of the case, particularly the fact that main accused is said to be Krishna Kumar Sahu and he has been enlarged on regular bail, the applicants are permanent residents of Dhamtari and Raipur districts, I am inclined to grant anticipatory bail to the applicants.

7. Accordingly, the anticipatory bail applications are allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on anticipatory bail by the officer arresting them on executing by each of them a personal bond in a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting them or the concerned investigating officer. The applicants shall also abide by the following conditions:-

- (i) that they shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that 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/her from disclosing such facts to the Court or any police officer.

- (iii) that they shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial;
- (v) that in case of change of address they will inform new address to investigating agency.

Certified copy as per rules.

Sd/-
(Shri N.K. Chandravanshi)
JUDGE