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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 384 of 2021**

- Akhilesh Meshram S/o late Shri A.C. Meshram, aged 46 years, R/o Plot No.09, Ekta Nagar, Sector 2, Gudhiyari, Raipur, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Police Station Rajhara, District Balod (C.G.)

---- Respondent

For Applicant	:	Mr. Anchal Kumar Matre, Advocate.
For Respondent.	:	Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****11/06/2021**

Proceeding through video conferencing.

1. 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 Number 41/2021 registered at Police Station - Rajhara, District Balod (C.G.) for the offence punishable under Section 420 of Indian Penal Code.
2. The prosecution case, in brief, is that on 21.05.2018, the applicant fraudulently obtained Rs. 9,50,000/- from the complainant on the pretext of providing government job to his two daughters on the post of Rural Agriculture Extension officer and Computer Operator. It is also alleged that a cheque was given by the applicant to the complainant to return the amount which got dishonoured on account of

insufficient balance. Based on this, offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the complainant himself is running illegal business of lending money without any license and the applicant had taken money from the complainant for personal work. He also submits that the applicant had only taken Rs.1,50,000/- from the complainant, out of which Rs.1,00,000/- has been returned to him and only Rs.50,000/- is outstanding. He also submits that the applicant has been served with a notice under the Negotiable Instrument Act. It is also added that a criminal colour has been given to this matter by the complainant.
4. Counsel for the State however opposes the application for anticipatory bail.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the quality of evidence, without commenting anything on merits of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
7. 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 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/medical examination 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 of 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