

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 437 of 2021**

Mevalal Baghel S/o Late Gyandas Baghel, Aged About 70
Years R/o Village Dheka Indira Awas Police Station Torwa
District Bilaspur Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through Police Station Torwa,
District Bilaspur Chhattisgarh. **Respondent**

For the applicant : Mr. Dheerendra Pandey, Advocate.
For the State : Mr. Ashish Tiwari, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****28.07.2021**

1. Apprehending arrest in connection with Crime No. 67/2021 registered at Police Station Torwa, Distt. Bilaspur (C.G) for the offences punishable under sections 420, 467, 468, 471, 34 of IPC, the applicant has filed application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, a complaint was filed by one Malik Ram Baghel under Section 200 of the Code of Criminal Procedure before the JMFC that he was granted Rs.25,000/- in his account under the Indira Awas Yojna and the present applicant who was Branch Manager of Zila Sahkari Kendriya Bank Maryadit helped the other accused to withdraw such amount of Rs.25,000/- which was meant to be deposited in the account of Malik Ram Baghel by getting forged signatures.
3. Learned counsel for the applicant submits that the applicant was only working as Branch Manager; he could

not identify the individual persons, therefore on such identification, the transaction was made. He further submits that he is aged about 70 years, the disputed amount of Rs.24,500/- was subsequently deposited and no further investigation is necessary, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer.
5. Considering the age of the applicant who is stated to be 70 years and at the relevant time, he was working as Branch Manager in District Cooperative Central Bank Limited and the disputed amount has been deposited and further taking the totality of the circumstances, I am inclined to admit the applicant to anticipatory bail.
6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that he shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that he 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 he shall not act in any manner which will be prejudicial to fair and expeditious trial; and

- (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao