

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No. 534 of 2021

- Premchand Lakra S/o ThibhuRam Uraon Aged About 64 Years
Occupation Retired Driver, R/o Shivnathpur, P.S. And Tehsil
Sitapur, District Surguja (Chhattisgarh)

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, P.S.
Darima, District Surguja (Chhattisgarh)

---- Respondent

For Applicant
For Respondent /State

Mr. Nishikant Sinha, Advocate
Mr. Vikram Sharma, Dy. GA

Proceedings through Video ConferencingSB.: Hon'ble Mr. Prashant Kumar Mishra, Ag. CJOrder On Board5/7/2021

1. Heard.
2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the

applicant, who is apprehending his arrest in connection with Crime No.43/2021 registered at Police Station Darima District Sarguja (CG) for the offence punishable under Section 420 of the IPC.

3. The applicant is a retired Driver from Jila Panchayat, Ambikapur. It is alleged that on 20.7.2015, he received payment of Rs.3,20,000/- from the complainant on assurance that two persons shall be provided the job of Jail Warder in the Central Jail, Ambikapur.
4. Considering that the applicant is aged about 64 years and the FIR was lodged after about 6 years of the incident and there is no documentary proof of payment of money as the amount was paid in cash and the offences are triable by the Judicial Magistrate First Class, I am inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
5. Accordingly, the application is **allowed** and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) he shall make himself available for interrogation by a Police Officer as and when required;
 - (ii) 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 for disclosing such facts to the Court or to any Police Officer.

- (iii) he shall not influence the witnesses during pendency of the trial.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Acting Chief Justice

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