

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 600 of 2021**

- Prakash Chand Sidara, S/o Shri Atal Ram Sidara, Aged About 50 Years, R/o Behind Manohar Takies, Juna Bilaspur, Police Station City Kotwali, Tahsil & District Bilaspur (Chhattisgarh).

---- Applicant**Versus**

- The State of Chhattisgarh Through The Station House Officer, Police Station Sarkanda, Bilaspur, District Bilaspur (Chhattisgarh).

---- Respondent

For Applicant	: Mr. Raza Ali, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.08.2021**

1. The matter is heard through video conferencing.
2. This is the **second anticipatory bail** 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. 979/2020 registered at Police Station- Sarkanda, Bilaspur, (C.G.) for commission of the offence punishable under Section 420, 34 of IPC.
3. The first anticipatory bail application was dismissed on 07.04.2021.
4. Case of the prosecution is that, report was lodged by the complainant alleging that he was purchased a flat from M/s. Sai Sangam Realtors and as per the agreement he has to pay the money within two years and in the meanwhile, the said plot was sold by the builder to some other person and thus has cheated by inducing delivery of property. Based on this, offence was

registered against the present applicant.

5. 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 applicant has no criminal antecedent and he is 60 years old aged person. He further submits that applicant is also suffering from many diseases and is under medical treatment, therefore, the present applicant may be granted anticipatory bail.
6. On the other hand, counsel for the State however opposes the bail application.
7. After hearing counsel for the parties and considering the facts and circumstances of the case, especially nature and gravity of crime in question, at this stage, I am not inclined to release him on anticipatory bail.
8. Accordingly, his anticipatory bail application filed under Section 438 of the Code of Criminal Procedure is rejected.

**Sd/-
(Rajani Dubey)
Judge**

R/-