

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 626 of 2021**

- Kuldeep Tandiya, S/o Late Shri Jai Karan Tandiya, Aged About 32 Years, Caste- Panika, R/o Godripara, Chirmiri, Police Station & Tehsil- Chirmiri, District- Koriya, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through: Station House Officer, Police Station- Chirmiri, District- Koriya, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Kishore Narayan, Adv.
For Respondent/State	: Mr. Sudeep Verma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****10.06.2021**

1. The matter is heard through video conferencing.
2. Admit.
3. 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 No. 76/2021 registered at Police Station- Chirmiri, District- Koriya (C.G.) for commission of the offence punishable under Section 406 of IPC.
4. Case of the prosecution is that, complainant had financed one vehicle scorpio No. M.P. 65 T-1016 on behalf of the applicant. Applicant had promised that he would pay all the installment but the applicant has not paid the said installment and had pledged the vehicle with another person. Based on this, offence was registered against the present applicant.
5. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that applicant and complainant are relative and some installment was not paid during pandemic due

to some financial condition of the applicant and now he is ready to pay the remaining installments. He next added that offence is triable by Judicial Magistrate First Class, therefore, the present applicant may be granted anticipatory bail.

6. On the other hand, counsel for the State however opposes the application for anticipatory bail.
7. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular offence is triable by Judicial Magistrate First Class, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. 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 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 or 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**