

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 918 of 2021**

- Itwarilal, S/o Bakhariya, Aged About 45 Years, Cast Sanwra, R/o Village Rohara Thana Bhathpara, Gramin, District - Bhathapara Balauda Bazar Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through, Police Station - Sargaon, District - Mungeli Chhattisgarh

---- Respondent

For Applicant	: Shri Vikas Pandey, Advocate
For Respondent/State	: Shri BP Banjare, Dy GA

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board
(Proceeding through Video Conferencing)

11.08.2021

1. This is an application under Section 438 of CrPC for grant of anticipatory bail to the applicant as he apprehends his arrest in connection with Crime No. 43 of 2021 registered at Police Station Sargaon, District Mungeli, Chhattisgarh for commission of offense punishable under Section 420 and 34 of IPC.
2. Case of the prosecution, in brief, is that, the complainant came in contact with present applicant and one Prakash. Complainant was told by them that they can double the amount handed over to them and on that date, they asked complainant to hand over Rs.50/- and to walk to some distance, so that the amount will be doubled. Complainant handed over Rs.50/- and as per instructions, walked about 50 steps and he was shown that the amount given by him was doubled, ie Rs.100/-. Relying upon that, on 3rd November, 2020 complainant handed over Rs.5 lakhs to present applicant and other co-accused persons, and returned back to his house. Complainant was told that within a day, amount of Rs.5 lakhs will be doubled. On the next day ie on 4th November, 2020, he tried to call applicant and other co-accused on mobile phone but it was switched off. Thereafter, report was lodged to concerned Police Station.
3. Applicant, apprehending his arrest, filed this anticipatory bail application after rejection of his application by the Court below.

4. Shri Vikas Pandey,, learned counsel for the applicant would submit that absolutely false and baseless allegations have been levelled against present applicant. He has not accepted any money from complainant, hence he may be released on anticipatory bail.

5. On the other hand, Shri BP Banjare, learned counsel for the State opposing the submissions of learned counsel for the applicant, submits that there is specific allegation that amount of Rs.5 lakhs has been handed over to present applicant in presence of other co-accused persons on the pretext of doubling the amount in a day or two. After accepting Rs.5 lakhs from complainant, applicant and other co-accused persons absconded and not received phone call of complainant. Similar allegations are made by one Dharmesh, that from him also, money has been taken for making it double, he was also cheated by present applicant and other co-accused persons.

6. I have heard learned counsel for the parties.

7. Taking into consideration nature of allegations levelled against present applicant, and material available in case diary, I do not find it a fit case to enlarge the applicant on anticipatory bail. Accordingly, bail application is dismissed.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
JUDGE