

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.1248 of 2020

Prahallad Bariha S/o Bhikhari Lal Bariha Aged About 45 Years R/o
Village Dongaripali, Kailashpur, Police Station And Tahsil Pithora,
District Mahasamund Chhattisgarh ---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Pithora, District Mahasamund Chhattisgarh ---- **Respondent**

For Applicant	:	Mr. Raghvendra Pradhan, Advocate.
For Respondent/State	:	Mr. Neeraj Pradhan, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/02/2021

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.174/2020 registered at police station – Pithora, District Mahasamund (C.G.) for alleged commission of offence under Section 420 of IPC.
2. Prosecution case is that the applicant by giving false assurance of getting loan cases prepared for construction of shade, toilet etc. recovered amount of Rs.500/-, Rs.700/- & Rs.900/- from various villagers.
3. Learned counsel for the applicant would submit that the applicant is being falsely implicated in old and stale matter. He would submit that the allegation of giving money is of the year 2015 whereas report has been lodged in the year 2020. There is no receipt produced before the authority by the so-called complainants. Therefore, it is a case of complete false implication.
4. On the other hand, learned counsel for the State opposes the prayer and submits that as many as four villagers have given the statement in support of the allegation that in the year 2015, the applicant had collected money from

them on the assurance that he will get amount disbursed for construction of cow shade and construction of toilet but no such amount was made available to them, therefore, the applicant cheated the complainants.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the allegation pertaining to the year 2015, no receipt has been produced by the complainants, present is a fit case for grant of bail to the applicant. Accordingly, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions -

- (i) that the applicant shall make himself available for interrogation by a Police 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 from disclosing such facts to the Court or to 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.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E

Rekha