

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 1417 of 2020**

1. Rakesh Nag And Another S/o Shri Sukalu Ram Nag Aged About 30 Years
2. Smt. Ravina Nag @ Rubeena Nag W/o Shri Rakesh Nag, Aged About 29 Years D/o Shri Pawan Kumar,

Both are R/o Village - Nemed, Police Station - Nemed, Revenue District - Beejapur (Chhattisgarh) And Civil District - Dantewada (Chhattisgarh)

---- Petitioner**Versus**

- State Of Chhattisgarh Through The District Magistrate Janjgir, Civil And Revenue District - Janjgir-Champa (Chhattisgarh)

---- Respondent

For Applicants
For Respondent /State

Mr. Paras Mani Shriwas, Advocate
Mr. R. Tripathi, Panel Lawyer

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****17/2/2021**

1. Heard.

2. This is an application filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.40/2020 registered at Police Station Shivarinarayan, District Janjgir-Champa (CG) for the offence punishable under Section 420/34 of the IPC.
3. The applicants have obtained Rs.3,70,000/- from complainant Rajesh Kumar Bharadwaj on promise to arrange employment.
4. Learned counsel for the applicants submits that earlier an amount of Rs.2,80,000/- was returned and now, the balance amount has also been returned on 10.2.2021 to the complainant. The proof of the return of the balance amount has been filed today along with the covering memo.
5. Considering that the applicants have returned the entire cheated amount obtained from the complainant, I am inclined to extend the benefit of Section 438 of Cr.P.C. to the applicants.
6. Accordingly, the application are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each furnishing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) they shall make themselves available for interrogation by a Police Officer as and when required;

- (ii) they 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) they shall not influence the witnesses during pendency of the trial.

Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna