

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCANo. 1357 of 2020**

1. Prem Singh Banjara, S/o Gandha Banjara, aged about 45 years, R/o Village Amera, Thana Komakhan, District Mahasamund (CG)

---- Applicant

**Versus**

- State Of Chhattisgarh Through- Police Station Komakhan, District Mahasamund (CG)

---- Non-Applicant

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For Applicant : Shri Dheerendra Pandey, Advocate.  
For Non-Applicant : Shri Alok Nigam, Govt. Advocate.

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**Hon'ble Shri Justice Prashant Kumar Mishra****Order On Board****07/01/2021 :**

1. The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.169/2020, registered at Police Station Komakhan, District Mahasamund for offences punishable under Section 420/34 of the IPC.
2. Complainant Haldhar Maheshwari entered into an agreement with Savita Banjara, Prem Singh Banjara and Basant Banjara for purchase of their land for an amount of Rs.23,58,200/-, out of which Rs.4 lakhs through cheque and Rs.99,506/- was paid as advance in cash. Despite repeated requests, the accused persons did not execute the sale deed in favour of the purchaser.
3. Admittedly, co-accused Rajkumar Dhidhi, Rajendra Banjara, Chandrabhagat Agnihotri, Basant Nayak & Savita Banjara have already been released on regular bail by a common order dated 7.12.2020 passed in MCRC Nos.7172, 7419 & 7799 of 2020 and order dated 15.12.2020 in MCrC Nos.7558 & 6834 of 2020 respectively.

4. Although the present application is moved under Section 438 CrPC for grant of anticipatory bail, however, considering that the transaction is prima facie of civil nature and the co-accused persons have already been released on bail, I am inclined to extend the benefit of anticipatory bail to the applicant.
5. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant, he shall be released on anticipatory bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
  - (i) he shall not influence the witnesses during trial.
  - (ii) he shall make himself available for interrogation by a police officer as and when required;
  - (iii) 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.

Sd/-  
**Judge**  
(Prashant Kumar Mishra)