

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1556 of 2020**

- Lalit Kumar Baghel S/o Narsing Ram Baghel, aged about 40 years, R/o Q. No.344/E, Ward No.59, Risali Sector, Bhilai Nagar, District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Police Station Bhilai Nagar Sector 6, District Durg (C.G.)

---- Respondent

For Applicant	:	Mr. Jitendra Gupta, Advocate.
For Respondent.	:	Mr. Devesh Verma, G.A.
For Objector	:	Mr. H.K. Agrawal, Advocate

Hon'ble Smt. Justice Rajani Dubey**Order on Board****24/03/2021**

1. 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.94/2020 registered at Police Station – Bhilai Nagar Sector-6, District Durg (C.G.) for commission of the offence punishable under Sections 420, 34 of Indian Penal Code.
2. The prosecution case, in brief, is that complainant Prahlad Singh Thakur made a written complaint at police Station Bhilai Nagar alleging therein that the applicant and co-accused Sher Singh Rathia allured the complainant with promise to pay hefty interest if he makes deposit in the company style as 'Jai Krushak S.S. Enterprises Networking'. Being tempted, the complainant deposited Rs. 16,90,000/- with company but after considerable period the amount was

not paid to him. Based on this, after due investigation, offence has been registered against the present applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the only allegation against the applicant is that at his instance the complainant has deposited the money in the Company. He also submits that co-accused namely Sheri Singh Sethiya has already been granted regular bail by this Court vide order dated 03.09.2020 passed in MCRC No.4095/2020, therefore, the present applicant may also be granted anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail.
5. Mr. H.K. Agrawal, counsel for objector vehemently opposed the anticipatory bail application and submits that the present applicant is the master mind of the case and, in 161 Cr.P.C. statements of the complainant, the name of applicant finds place and at his instance, other persons including the complainant have deposited the huge amount on the promise of doubling the same within a short period.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular the nature of allegation against the present applicant, without further commenting on merits, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
7. 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/medical examination 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 of 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