

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1512 of 2020**

- Hamid Memon, S/o Late Haji Abu Bakar, Aged About 45 Years, R/o Pachpedi Naka, Laxmi Nagar, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station- Kanker, (North Bastar) Kanker, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Raza Ali, Adv.
For Respondent/State	: Mr. Udhaw Sharma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****25.03.2021**

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. 68/2018 registered at Police Station- Kanker, (North Bastar) Kanker (C.G.) for commission of the offence punishable under Sections 420, 120-B, 34 of IPC, Section 4, 5, 6 of Prize Chits and Money Circulation Schemes (Banning Act) and Section 10 of Chhattisgarh Protection of Depositors Interest Act, 2005.
2. Case of the prosecution is that, it has been alleged that the present applicant along with other co-accused persons allured the complainants and invested their money in one Anmol India Agro Herbal Farming & Dairy Care Company Ltd. and on maturity, their amount was not returned by the said company. Based on this, offence was registered against the present applicant and other co-accused persons.
3. Learned counsel for the applicant would submit that similar crime has been registered at different police stations at Ambikapur District in which the applicant has already been released on anticipatory bail by this Court in M.Cr.C.(A) Nos. 613, 617, 776, 810 & 1569 of

2020 & M.Cr.C.(A) No. 35/2021. Learned counsel would further submit that several other accused persons have also been allowed anticipatory bail in batch of cases, leading cases bearing M.Cr.C. (A) No. 1680/2019 [decided on 10.08.2020], therefore, the present applicant may be granted anticipatory bail.

4. On the other hand, counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular the order passed by this Court in different anticipatory bail applications and looking to the nature of allegation against the applicant, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. 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 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 or 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**