

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRCA No.1569 of 2020

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

---- Applicant

Versus

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

---- Respondent

For Applicant
For Respondent /State

Mr. Raza Ali Advocate
Mr. Alok Nigam, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board17/02/2021

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.12/2018, registered at Police Station Kanker, North Bastar, Kanker, CG, for the offence punishable under Sections 420, 120-B, 34 of the Indian Penal Code; Sections 4, 5 & 6 of the Prize Chits and Money Circulation Schemes (Banning) Act; Section 10 of the Chhattisgarh Protection of Depositors Interest Act, 2005; and Section 138 of the Negotiable Instrument Act.
2. As per the FIR (First Information Report) lodged by the complainant Roop Singh Sahu, the company namely; Anmol

India Agro Herbal Farming & Dairy Care Company Ltd., Nagpur, opened its branch at Kanker and he was allured with promise to pay hefty interest if he makes deposit in the company. Being tempted the complainant deposited Rs.1,30,000/- with the company, but after maturity the amount was not paid and three cheques provided to him showing repayment of the deposit were dishonoured and later on the branch office of the company was closed.

3. Learned counsel appearing for the applicant would submit that similar crime has been registered at different police stations in 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 of 2020 [all decided on 11-8-2020 by separate orders]. Learned counsel would further submit that several other accused persons have also been allowed anticipatory bail in batch of cases, leading case bearing M.Cr.C.(A) No.1680 of 2019 [decided on 10-8-2020].
4. Learned counsel appearing for the State, *per contra*, would oppose the bail application.
5. Having considered the order passed by this Court in different anticipatory bail applications and looking to the nature of allegation against the applicant, which is more or less similar in all the cases, this Court is inclined to release the applicant on anticipatory bail.
6. 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/- (Rupees Fifty Thousand Only) with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- he shall make himself available for interrogation by a police officer as and when required;
- 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.
- he shall not influence the witnesses during pendency of the trial.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri