

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1538 of 2020**

- Hamid Memon, aged about 45 years, S/o late Haji Abu Bakar, resident of Pachpedi Naka, Laxmi Nagar, District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Police Station Kanker, (North Bastar) Kanker (C.G.)

---- Respondent

For Applicant	:	Mr. Raza Ali, Advocate.
For Respondent.	:	Mr. Sameer Uraon, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****23/03/2021**

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.40/2018 registered at Police Station - Kanker, North Bastar, Kanker (C.G.) for commission of the offence punishable under Sections 420, 120-B, 467, 468, 471/34 of IPC and Sections 4, 5, 6 of Prize Chits and Money Circulation Schemes (Banning Act) and Section.
2. As per the First Information Report lodged by complainant Sushila Sinha, the present applicant is partner in the company styled as 'Anmol India Agro Herbal Farming & Dairy Care Company Ltd., she was allured with promise to pay hefty interest if she makes deposit in the company. Being tempted the complainant deposited Rs.4,14,000/- with the

company, but after maturity the amount was not paid. Thereafter, a cheque was issued to her which was subsequently demanded back saying that the money would be refunded but the same was not refunded and later the branch office of the company was closed.

3. Learned counsel for the applicant submits that similar crime has been registered at different police stations in which the applicant has already been granted anticipatory bail by this Court vide order dated 17.02.2021 passed in MCRC(A) Nos.1569/2020, order dated 02.03.2021 passed in MCRC(A) No.35/2021, order dated 11.08.2021 passed in MCRC(A) No.617/2020 and other accused persons vide order dated 10.08.2020 passed in MCRC(A) No.1680/2019 & other connected matters, therefore, the present applicant may also be granted benefit of anticipatory bail.
4. Counsel for the State however opposes the application for anticipatory bail.
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 released the applicant on anticipatory bail.
6. 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 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

pkd