

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1544 of 2020**

- Rajesh Shankar Das, S/o Banshi Das, Aged About 35 Years, R/o Village Ramanujnagar, P.S. & Tehsil Ramanujnagar, District Surajpur Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, P.S. Ramanujnagar, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Shakti Raj Sinha, Adv.
For Respondent/State	: Mr. B.P. Banjare, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18.06.2021**

1. Heard.
2. 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. 110/2020 registered at Police Station- Ramanujnagar, District Surajpur (C.G.) for commission of the offence punishable under Sections 420, 409, 467, 471, 120 B of IPC.
3. Case of the prosecution is that, present applicant is having Credit bank account in Central Bank of India Ramanujnagar, bearing Account No. 3562640188. It is alleged that account of the applicant was used by different Bank officers to transfer amount of Rs.62,71,000/- and such amount was also withdrawn by the account of the applicant and when the notices were sent to the applicant to deposit back the

amount the same was not deposited. Based on this, offence was registered against the present applicant.

4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that there is no evidence against the applicant which shows that any amount was withdrawn by the applicant from his account. He next added that main officer in capacity of bank officer had misappropriated the amount and withdrawn the same amount from the account of the applicant, therefore, the present applicant may be granted anticipatory bail.
5. On the other hand, counsel for the State however opposes the application for anticipatory bail submitting that huge amount has been misappropriated, therefore, he may not be granted anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, 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. 1,00,000/- with one local 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**

Ruchi