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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1657 of 2020**

- Ashish Kumar Gupta, S/o Shri Mohanlal Gupta, aged about 34 years, R/o Chhoti Bazar, Chirmiri, District Korea (CG)

---- Applicant

Versus

1. State Of Chhattisgarh Through Police Station Sonhat, District Korea, Chhattisgarh

---- Non-Applicant

For Applicant : Shri Jai Prakash Shukla, Advocate.
For Non-Applicant : Shri Ravish Verma, Govt. Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****10/02/2021 :**

1. The applicant has preferred this application for grant of anticipatory bail as he apprehends his arrest in connection with Crime No.46/2020, registered at Police Station Sonhat, District Korea for offence punishable under Sections 420/34 of the IPC.
2. Complainant Indrapal obtained loan of Rs.1 lakh from Antyavyavasayi Sahkari Vikas Samiti Maryadit, District Korea. The present applicant as an agent of the said Samiti retained the ATM card of the complainant and withdrew the entire amount of Rs.1 lakh but gave only Rs.24,000/- to the complainant and retained the balance amount with him. It is alleged that when the complainant received the demand notice for recovery of the loan amount, he became aware that the original loan amount was Rs.1 lakh and not Rs.24,000/-
3. Co-accused J.P. Koshle has been released on anticipatory bail vide order dated 16.12.2020 passed in MCRCA No.1064/2020. Although the

present applicant has been treated as the main accused, but considering that the FIR has been lodged after 6 years and also considering the amount involved in the matter, I am inclined to release the applicant on anticipatory bail.

4. 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/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

(i) he shall not influence the witnesses during trial.

(ii) he shall make himself available for interrogation by a police officer as and when required;

(iii) 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.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve