

NAFR

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 1707 of 2020

1. Surjit Vaidh S/o Tapan Kumar Baidh Aged About 35 Years R/o Village Chamiya, Police Station Bhaanpuri, District Bastar Chhattisgarh.

---- Applicant

Versus

1. State Of Chhattisgarh Through The Police Station Vishrampur, District Kondagaon Chhattisgarh.

---- Respondent

For Applicant	Mr. Raza Ali, Advocate
For Respondent /State	Mr. Alok Nigam, Govt. Advocate

Hon'ble Mr. Justice Prashant Kumar MishraOrder On Board25/02/2021

1. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.57/19, registered at Police Station Vishrampur, District Kondagaon (CG), for the offence punishable under Section 420/34 of the Indian Penal Code.
2. It is alleged in the complaint filed by Ishwar Singh Markam that the present applicant was entrusted with the work of installing drip irrigation system on 10 acres of land, however, he installed the system only on 5 acres of land and has obtained payment for the entire 10 acres of land, which was provided to him by way of loan from the Cooperative Bank.
3. Learned counsel for the State, *per contra*, would oppose the bail application.

4. Co-accused Gokulram Poya & Ratiram have already been released on anticipatory bail by common order dated 4-2-2020 passed by this Court in M.Cr.C.(A) Nos.1826 & 1834 of 2019, respectively. As against the present applicant the allegation is of obtaining the amount for installing drip irrigation system on 10 acres of land, but installed the same on 5 acres of land.
5. Considering the nature of allegations and for the fact that the offence is triable by the JMFC and his custodial interrogation does not seem to be necessary, 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