

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 159 of 2021**

- Santosh Janghel S/o Dhaniram Janghel Aged About 41 Years R/o Santoshi Nagar, Ward No. 7, Near Laxmi Tent House, Police Station Khamtarai, Tahsil And District Raipur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through- Station House Officer, Police Station- Gunderdehi, District- Balod, Chhattisgarh.

---- Respondent

For Applicant - Shri Ashok Patil, Advocate.

For Respondent /State - Shri Vimlesh Vajpayee, Government
Advocate.

Hon'ble Shri Prashant Kumar Mishra, Ag. Chief Justice

Order On Board**02/07/2021**

1. Heard.
2. This is the second bail application. The first bail application was dismissed as it was not duly constituted on 03-12-2020 in MCRCA No.1161 of 2020.
3. The applicant has preferred this application for grant of anticipatory bail, as he apprehends his arrest in connection with Crime No.289/2020, registered at Police Station Gunderdehi, District-Balod, for offence punishable under Sections 420/34 the Indian Penal Code.

4. Three borrowers including applicant's mother Hema have obtained housing loan from Chhattisgarh Rajya Gramin Bank. The subject sale deed was executed by the present applicant as power of attorney holder of her mother, alienating the property in favour of the complainant. The complainant subsequently became aware that the land has been mortgaged with this Gramin Bank, therefore, they lodged the FIR.
5. Material available in the record indicates that co-accused Nageshwar Rao has already been released on anticipatory bail by the Sessions Court. It has also revealed that the bank has issued no due certificate dated 26-03-2021 mentioning settlement with the borrowers and no dues in their account.
6. Learned State counsel would oppose the prayer for grant of anticipatory bail.
7. Considering the entire facts situation of the case, I am inclined to release the applicant on anticipatory bail.
8. 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)
Acting Chief Justice

Amardeep