

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 4 of 2021**

- Ved Prakash Chandrakar S/o Shri Trilok Chandrakar Aged About 31 Years R/o H. No. 310, Near Hanuman Mandir, Village Jamgaon, Tehsil Patan, District Durg Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Mujgahan, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Arvind Shrivastava, Adv.
For Respondent/State	: Mr. B. P. Banjare, Dy. G.A.
For Objector	: Mr. Shobhit Mishra, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.06.2021**

1. Proceeding through video conferencing.
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. 216/2020 registered at Police Station- Mujgahan, Raipur (C.G.) for commission of the offence punishable under Section 420 of the IPC.
3. As per the prosecution case, the allegation against the present applicant is that he along with one Raj Kashyap entered into an agreement with the complainant to sale of the land which was not belonged to him and obtained Rs. 14,85,000/- from her.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He next contended that the land bearing Khasra No. 178/04 which has been sold to the complainant belongs to the Raj Kashyap and the agreement has been executed between the complainant and Raj Kashyap, he was only the witness to the agreement. Complainant lodged an FIR after six years of agreement and the applicant has been involved only on the baseless ground, therefore, he may be granted anticipatory bail

by this Court.

5. On the other hand, counsel for the State as well as counsel for the Objector opposes the application for anticipatory bail and submits that the amount of Rs. 5,00,000/- has been obtained by the present applicant and thus, he was also involved in the said fraudulent agreement.
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.
7. 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**

V/-