

**HIGH COURT OF CHHATTISGARH, BILASPUR****Cr.A No.439 of 2023**

Sumit Kumar Verma S/o Late Jamuna Prasad Verma, Aged About 38 Years R/o. Ward No. 04, Lakhanpur, Police Station - Lakhanpur, District Surguja Chhattisgarh.

---- Appellant**Versus**

The State Of Chhattisgarh Through The Station Hose Officer, Police Station Lakhapur, District Surguja Chhattisgarh

---- Respondent

For Appellant:

Shri NK Mehta, Advocate.

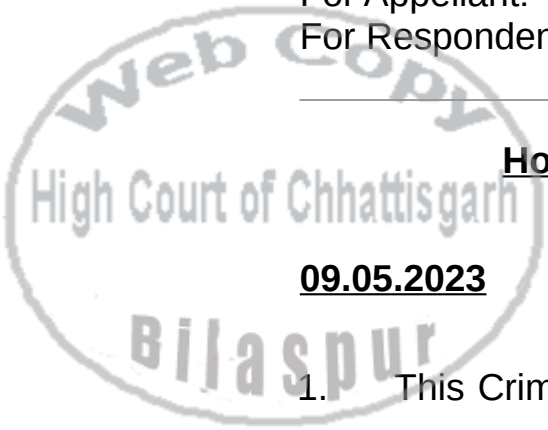
For Respondent/State :

Shri Avinash K Mishra, G.A.

Hon'ble Shri Justice Deepak Kumar Tiwari**Order on Board****09.05.2023**

1. This Criminal Appeal has been filed under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (henceforth 'the SC/ST Act') against the order dated 09.02.2023 passed by the Special Judge (Atrocities), Ambikapur, District Surguja for grant of anticipatory bail to the Appellant, who is apprehending his arrest in connection with Crime No.160/2022 registered at Police Station Lakhanpur, District Surguja (CG) for the offence punishable under Section 420, 467, 468 and 409/34 IPC as also under Section 3(2)(v) of the SC/ST Act.

2. Case of the prosecution is that Complainant Jaichand had lodged FIR alleging that the present Appellant, who is the Manager of



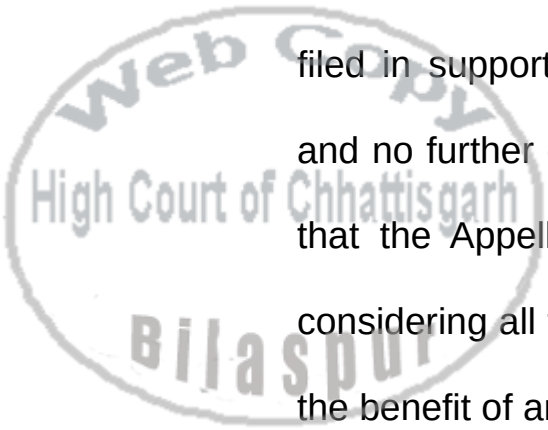


Adim Jati Seva Sahkari Chando, had, along with other co-accused persons, in a forged manner, fabricated the documents and acquired loan to the tune of Rs.5,23,025/- from the joint account of the Complainant and his father though his father died on 13.08.2019, therefore, the aforesaid offence has been registered against him.

3. Shri Mehta, learned Counsel for the Appellant submits that the Appellant is innocent and has been falsely implicated in the crime in question. He further submits that the entire amount has already been deposited in the Society and the copy of the deposit slip has been filed in support of the bail application, charge sheet has been filed and no further custodial interrogation is required. He further submits that the Appellant is not involved in any other offence, therefore, considering all these aspects, the present Appellant may be extended the benefit of anticipatory bail.

4. Per contra, learned Counsel for the State opposed the bail application and did not dispute that the amount which has been withdrawn by the present Appellant and other co-accused has already been deposited in the said Society and there is no requirement of custodial interrogation and except Crime No.44/2022, no other criminal case is pending against the present Appellant and in the said case also, he has already been granted anticipatory bail.

5. Considering the facts and circumstances of the case, the submissions put forth by learned Counsel for the parties, particularly





considering that the entire amount has already been deposited in the Society, charge sheet has already been filed, no further custodial interrogation is required, therefore, this Court finds it appropriate to extend the benefit of anticipatory bail to the present Appellant.

6. Accordingly, the application is **allowed** and it is directed that in the event of arrest of the Appellant, on executing a personal bond for a sum of Rs 25,000/- with one surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail and he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial and shall not involve himself in any offence of similar nature in future.

7. It is made clear that if the Appellant is involved in any other similar offence in future, then the bail granted by this Court shall automatically stand dismissed without any further reference to this Bench.

Sd/-

(Deepak Kumar Tiwari)
Judge