

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 872 of 2021**

- Vyas Lal Rathore, S/o Shri Trilok Chand Rathore, Aged About 49 Years, R/o Village Bhadoura, Tahsil- Masturi, District- Bilaspur, Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through- Station House Officer, Police Station Masturi, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Seema Singh, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08.09.2021**

1. This is the second anticipatory bail 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. 46/2021 registered at Police Station- Masturi, District- Bilaspur (C.G.) for commission of the offence punishable under Sections 409, 420/34 of IPC.
2. The first anticipatory bail application of the applicant was dismissed as withdrawn vide order dated 01.04.2021 in MCRCA No. 394/2021.
3. Case of the prosecution is that, applicant along with other co-accused persons, who are working as agents, used to collect the amount for electricity bills from the consumers and handed over to the another co-accused Priya Amle who is a Junior Engineer in the Electricity Department. It is alleged that the amount which was collected from the consumers towards the bills was not deposited and has misappropriated with the entrusted property. Based on this, offence was registered against the present applicant.
4. Learned counsel for the applicant submits that the present



applicant is innocent and has been falsely implicated in this case. She further submits that co-accused have been granted anticipatory bail on the same ground vide order dated 18.06.2021 passed in MCRCA Nos. 273/2021, 336/2021, 338/2021, 389/2021. She next added that present case of the applicant is identical in nature, therefore, the present applicant may be granted anticipatory bail.

5. On the other hand, counsel for the State however opposes the application for anticipatory bail.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular the co-accused have been granted anticipatory bail vide order dated 18.06.2021 passed in MCRCA Nos. 273/2021, 336/2021, 338/2021, 389/2021 on the same ground, 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. 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. 25,000/- with one 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**