

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr. C.(A) No.1334 of 2014**

Shishupal Singh Mandavi S/o Shri Somnath Mandavi, aged about 48 years, Assistant Grade-II, R.T.O. Jagdalpur, R/o. House No. 92, Nayapara, Behind Akashpara, Jagdalpur, Police Station Jagdalpur, Civil & Revenue District Bastar (CG)

---Applicant

Versus

State of Chhattisgarh, Through- Station House Officer, Police Station- Chakarbhatha, District Bilaspur (CG)

---Non-applicant

For Applicant	:	Mr.Devesh Chandra Verma, Advocate
For Non-applicant	:	Mr. Ramakant Mishra, Dy.Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****12/08/2015**

1. The applicant has filed this first bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.300/2011, registered at Police Station-Chakarbhatha, District Bilaspur (CG), for the offence punishable under Sections 394, 420, 467, 468, 471, 414, 411, 120B and 201 of the IPC.

2. Case of the prosecution, in brief, is that the applicant on 8.8.2011 while posted as Assistant Grade-II in R.T.O., Jagdalpur in collusion with other co-accused persons on the basis of forged N.O.C., registered the vehicle and thereby committed the aforesaid offence.

3. Learned counsel for the applicant would submit that applicant has not committed any offence and has been falsely implicated in crime in question. Learned counsel would further submit that the applicant is simply clerk and

co-accused Sop Singh, Assistant Regional Transport Officer and J.P. Kahaar, Transport Inspector have granted anticipatory bail by a co-ordinate Bench of this Court vide orders dated 10.1.2012 and 22.4.2013 in M.Cr.C.(A) Nos.1007 of 2011 and 201 of 2013 and as such, case of the present applicant is similar to that of the co-accused who have been granted anticipatory bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicant and also considering the fact that anticipatory bail was granted to co-accused Sop Singh and J.P. Kahaar, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on anticipatory bail.

7. Accordingly, the bail application filed under Section 438 of the Cr.P.C. is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on his furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the arresting officer him and he shall abide by all the following terms and conditions:-

- (i) that the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
- (ii) that the accused/applicant 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/her from disclosing such facts to the Court or to any police officer;

- (iii) that the accused/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.

8. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-