

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.514 of 2015**

Subhagya Bhoi, D/o Sugreev Bhoi, Aged about 26 years, R/o Gram Tetla,
Tahsil Pusore, District Raigarh (CG)

---- Applicant

Versus

State Of Chhattisgarh through Station House Officer, Police Station Pusore,
District Raigarh Chhattisgarh.

---- Respondent

For Applicant	:	Shri Mateen Siddiqui, Advocate
For Respondent/State	:	Shri R. K. Gupta, Dy.A.G.

Order On Board**10/07/2015**

The applicant has preferred this application under Section 438 of Cr.P.C., apprehending her arrest in connection with Crime No.79/2014, registered at Police Station–Pusore, District Raigarh for alleged commission of offence under Sections 420, 467, 468, 471, 120-B/34 of IPC.

2. Allegation against the present applicant is that she is said to have played a role in mutation of the land measuring 0.24 hectare in the name of different persons and that this mutation and other acts on the part of the applicant has been done without knowledge of the actual owner of the said land i.e. the complainant.

3. Counsel for the applicant submits that the entire allegation against the present applicant is the entry in the register of mutation. It is next submitted that on a perusal of the proclamation issued by the Sarpanch; it would reflect that the proclamation was passed on the basis of Patwari report which was received by the Gram Panchayat. He submits that it is a usual practice in Gram Panchayat that whenever such a report is received, the proclamation is passed through the resolution of the Gram Panchayat. Counsel for the applicant submits that two persons in whose name the land has been mutated, they are also accused in the present crime, who have already been granted anticipatory bail by this Court and

therefore, the present applicant may also be granted the benefit of anticipatory bail.

4. State counsel on perusal of the case diary does not dispute this fact and also the fact that the only allegation against the applicant is making entries in the mutation register.

5. Considering the total facts and circumstances of the case, I am inclined to grant anticipatory bail to the applicant.

6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/ with one surety in the like sum to the satisfaction of the arresting officer, on the following conditions that:

(I) she shall make herself available for interrogation by a police officer as and when required;

(ii) she 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, *and*

(iii) she shall cooperate with the investigation as and when she is called.

Sd/-
Manindra Mohan Shrivastava
JUDGE