

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1188 of 2015

- Shialendra Kumar S/o Hemprasad Aged About 42 Years R/O Village- Pithampur, P.S. - Lormi (Out- Post- Chilfi) Tah- Lormi, Dist- Mungeli (Chhattisgarh) Presently Resided At As-Gramin Krishi Vistar Adhikari, Village- Ramgarh, Block Sonhat, Distrit - Korea (Chhattisgarh) --- **Petitioner**

Versus

- State Of Chhattisgarh Through- Police Station- Lormi, District- Mungeli (Chhattisgarh) --- **Respondent**

For the applicants	:	Mr. Ishwar Jaiswal, Advocate
For the Respondent	:	Mr. Neeraj jain, Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.12.2015

1. Apprehending arrest in connection with Crime No. 347/2015 registered at Police Station Lormi, Distt. Mungeli, Chhattisgarh for the offences punishable under Sections 420, 467, 468, 471 of IPC, the applicant has preferred this application u/s 438 Cr.P.C., for grant of anticipatory bail.
2. Case of prosecution, in brief, is that a report was lodged by by Sukhru Ram, one of the brothers of of co-accused Jagwat that he got his name mutated in respect of the land which is owned by the complainant Sukhru and subsequently sold it to his son Rajendra Prasad by making false document and this applicant has signed the sale deed as a witness to the said transaction. Therefore, the offence has been registered.
3. Per contra, learned State Counsel opposes the prayer for grant of bail.
4. Learned counsel for the applicant submits that the main accused Jagwat has been granted anticipatory bail in M.Cr.C

(A). No. 1111 of 2015 on 19.11.2015 and the degree of the allegation levelled against this applicant is much less than that of main co-accused, therefore, he may be granted anticipatory bail.

5. Per contra, learned State Counsel opposes the same. However, he do not dispute the fact that the main accused Jagwat has been enlarged on anticipatory bail by this Court.
6. Taking into the fact that the main accused has been enlarged on bail by this Court and looking to the nature of allegations against this applicant, I am inclined to extend the benefit of anticipatory bail to the present applicant.
7. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-
 - (i) that he shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that he 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 any police officer;
 - (iii) that he shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (iv) that he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

**GOUTAM BHADURI
JUDGE**