

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 846 of 2015

Sandeep Dhawan S/o Late M. M. Dhawan Aged About 41 Years R/o Priyadarshini
Nagar, Risali, P.S. Navai, Bhilai Nagar, District Durg Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station, Dharsiwa, Distt. Raipur Chhattisgarh

---- Respondent

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MCRCA No. 851 of 2015

Ghasiram S/o Late Shri Ramsingh Rawte Aged About 60 Years R/o Village- Guma,
Thana, Urla, Civil & Revenue Distt. Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Dharsiwa, Distt.
- Raipur Chhattisgarh

---- Respondent

Shri Pragalbh Sharma, counsel for the applicant in M.Cr.C.(A) No.846/15.
Shri Sunil Sahu, counsel for the applicant in M.Cr.C.(A) No.851/2015.
Shri R.K.Gupta, Dy.A.G. for the State.

Order On Board

07/09/2015

Both the aforesaid applications are being disposed off by this common order
as they arise out of the same crime number.

2. The applicants have filed these applications because after grant of
anticipatory bail to them under the same crime number for alleged commission of
offence under Section 420 and 409 IPC, later on, offence under Sections 467, 468,
471, 120-B / 34 of IPC have also been registered.

3. Learned counsel for the applicants submitted that this Court, after examining the material on record and the role alleged to be played by the applicants, particularly taking into consideration the period after which inspection was made, has been pleased to grant bail to the applicant. In the same matter, some more offences have now been added alleging forgery of documents. Therefore, it is a case for grant of anticipatory bail.

4. On the other hand, learned State counsel opposes the bail application and submits that the nature and gravity of allegations does not entitle the applicants for grant of anticipatory bail.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration the role alleged to be played by the applicants was examined by this Court and also taking into consideration that the work was of construction of WBM road undertaken in the year 2007-08 and the inspection was carried out after three years with the intervention of about three rains which consideration still remains relevant while considering present applications for grant of anticipatory bail, both the applications are allowed.

6. In the event of arrest of the applicants in connection with the offence which has now been added, he shall be released on bail on each of them furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicant shall abide by all the following terms and conditions -

- (i) that the applicants shall make themselves available for interrogation by a Police Officer as and when required;
- (ii) that they 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 them from disclosing such facts to the Court or to any Police Officer.
- (iii) that they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

7. If the applicants have already furnished personal bond and sureties of the like

amount as directed earlier while allowing first bail application, they shall be released on the same bond papers and security.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava
Judge