

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C(A) No. 263 of 2016**

1. Rajendra S/o Jagwat Satnami Aged About 31 Years Agriculturist, R/o Village - Pithampur (Dabri), Chowki - Chilfi, Thana Lormi, Tah. - Lormi, Distt. Mungeli, Chhattisgarh.
2. Rajendra S/o P.R. Sahu Aged About 35 Years R/o Village - Salheghori, Thana - Lormi, Tahsil - Lormi, Distt. - Mungeli Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through, Police Station Lormi, District Mungeli, Chhattisgarh.

-----Respondent

For Applicant:	Shri Ali Asgar, Advocate.
For Respondents/State:	Shri Sangarsh Pandey, Deputy Government Advocate.

Single Bench: **Hon'ble Shri P. Sam Koshy, J**
Order On Board

10.3.2016

1. By way of the instant application under Section 438 Cr.P.C, the applicants have sought for grant of anticipatory bail apprehending arrest in connection with Crime No.347/2015 registered at Police Station – Thana Lormi, Distt. Mungeli (CG) for the offence punishable under Sections 420, 467, 468 and 471 IPC.

2. Learned Counsel for the Applicants at the outset submits that the main accused person in the present case i.e. the seller of the property namely Jagwat has already been granted the benefit of anticipatory bail by this Court in M.Cr.C(A) No.1111/2015 vide order dated 19.11.2015. He further submits that Applicant No.1 is the purchaser of the disputed property and Applicant No.2 is only a witness to the sale deed executed and as such the case of the both the Applicants herein are in a better position than that of co-accused

Jagwat who has already been granted the benefit of anticipatory bail.

3. Learned State Counsel, on due verification of the order passed by the co-ordinate Bench in M.Cr.C(A) No.11112/015 on 19.11.2015, does not dispute the facts and circumstances of the case.

4. Having heard Learned Counsel for parties and considering the total facts and circumstances of the case, particularly the fact that the main accused Jagwat has already been granted the benefit of anticipatory bail by this Court in M.Cr.C(A) No.1111/2015 on 19.11.2015, I am of the opinion that the present Applicants are also entitled to be given the advantage of anticipatory bail on the grounds of parity.

5. Accordingly, the application is allowed. It is directed that in the event of arrest, the Applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000 with two sureties each for the like sum to the satisfaction of the Officer arresting them and they shall abide by all the following terms and conditions:-

- (i) that the accused/applicant/s shall make himself/herself/themselves available for interrogation before the concerned Investigating Officer as and when required;
- ii) that the accused/applicant/s 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/them from disclosing such facts to the Court or to any police officer;
- (iii) that the accused/applicant/s shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the accused/applicant/s shall appear before the

trial court on each and every date given to him/her/they by
the said court till disposal of the trial.

Sd/-

(P. Sam Koshy)

JUDGE

Priya