

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C(A) No. 272 of 2016**

Raghuvir Prasad Gour S/o Late Prahalad Prasad Gour Aged About 57 Years
By Caste Kurmi, Occupation Executive Engineer In Public Works Department
At Jashpur, R/o P.W.D. Colony, Jashpur, Civil And Rev. Distt. Jashpur
Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station Jashpur,
District Jashpur Chhattisgarh.

-----Respondent

For Applicant:

Shri Arun Kumar Shukla, Advocate.

For Respondent/State:

Shri Gary Mukhopadhyay, 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 Applicant has sought for grant of anticipatory bail apprehending arrest in connection with Crime No.44/2016 registered at Police Station – Jashpur, Distt. Jashpur (CG) for the offence punishable under Sections 420, 468 and 471/34 IPC.

2. The allegation against the present Applicant is that he was found to be in possession of forged driving license. However, the Applicant along with the present bail application has also filed a document which has been received from the Office of RTO, Jashpur whereby the RTO has issued a letter by which it has been reflected that the mistake occurred at the hands of the data entry operator in the Office of the RTO, Jashpur, who had inadvertently

inserted only half of the number on the driving license in possession of the present Applicant on the basis of which at the first instance, it was found to be fake document. However, on due verification of the actual number reflected in the driving license in possession of the present Applicant, he has certified that the driving license as a valid one. The Applicant undertakes to provide full cooperation to the police during the course of investigation.

3. This aspect has not been disputed by the Learned State Counsel. On verification of the facts of the present case, it is also reflected that the present Applicant is in Government employment and in case he is taken into custody, his employment may be put at stake. From the nature of allegation made, this Court is of the opinion that it is not of such serious nature which requires a custodial investigation. Considering the age of the Applicant and his position, I am of the opinion that the present Applicant is entitled to be given the advantage of anticipatory bail.

4. Accordingly, the application is allowed. It is directed that in the event of arrest, the Applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000 with two sureties for the like sum to the satisfaction of the Officer arresting him and he 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