

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 322 of 2016

1. Smt. Amol Kunwar, W/o. Mr. Maniram Shrivastava, aged about 65 years, R/o. Village – Badi Bazar, Thana-Ratanpur, District-Bilaspur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Police Station, Sarkanda, District – Bilaspur (C.G.)

---- Respondent

For Applicant	: Mr. Achyut Tiwari, Advocate
For Respondent/State	: Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07/04/2016

1. Apprehending arrest in connection with Crime No.302/2014 registered at Police Station- Sarkanda, District – Bilaspur (C.G.), for offence punishable under Section 420, 467, 468, 471, 120-B, 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, certain properties were in the name of Sukhru, which devolved on to Dhan Bai, who died on 04.06.1995. However on 05.05.2007, the applicant alongwith other co-accused impersonated herself as Dhan Bai and executed a sale by affixing photographs as Dhan Bai.
3. Learned counsel for the applicant would submit that the applicant herself has been defrauded as she has certain part of share and she was in relation of cousin. He further submits that charge-sheet

in this case has been filed and the other co-accused in this case has been enlarged on regular bail and no further investigation is required as the applicant herself has stated that her photographs are affixed on the sale deed, therefore, the applicant may be extended the benefit of anticipatory bail.

4. Per contra learned State counsel opposes the application for grant of anticipatory bail.
5. Perused the case diary and the charge-sheet. Considering the fact that charge-sheet in this case has been filed and the applicant herself has admitted the fact that her photographs are affixed in the sale deed. Further considering the age of the applicant, which is stated to be 65 years of aged lady, this Court is inclined to extend the benefit of anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant 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 to any police officer;

- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge