

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 794 of 2016

- Dinesh Soni S/o Shri Pila Babu Soni Aged About 53 Years R/o Jawahar Ward, Mungeli, Tahsil & District Mungeli, Civil & Revenue District Mungeli, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station City Kotwali, Mungeli, Civil & Revenue District Mungeli, Chhattisgarh. --- **Respondent**

For the applicant : Mr. Neeraj Mehta, Advocate.
For the Respondent : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

12.08.2016

1. Apprehending arrest in connection with Crime No. 289/2013 registered at Police Station City Kotwali, Mungeli (C.G) for the offences punishable under section 419, 420, 467, 468, 471, 120-B & Section 34 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the applicant was inculpated after an application u/s 319 of Cr.P.C., was allowed on the ground that one Savitri Bai, Chandra Kiran, Rambhadra Singh and Ghan Shyam Singh owned the land jointly and a sale deed was executed in favour of Annapurna and in place of Savitri Bai, one Krishna Bai was falsely personified as Savitri Bai and the sale deed was executed. He further submits that the applicant is husband of the purchaser Annapurna who manipulated the entire commission of offence.
3. Learned counsel for the applicant submits that the

applicant was not originally named in the FIR as he was not originally made an accused and when a case was filed u/s 319 Cr.P.C., then only he has been made accused and subsequently the original accused Annapurna Soni has been enlarged on anticipatory bail in M.Cr.C.(A) No.756 of 2016 on 15.07.2016 by the coordinate Bench of this Court and the case of present applicant is on more better footing than that of the person who has been admitted to bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail. However, he do not dispute the fact that accused Annapurna Soni has been enlarged on bail by the coordinate Bench of this Court in M.Cr.C(A). 756/2016.
5. Considering the fact that accused Annapurna Soni has been enlarged on bail by the coordinate Bench of this Court and also considering the totality of the facts situation of the case, I am inclined to admit the present applicant to anticipatory bail.
6. 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 his 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.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

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