

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A) NO. 1367 OF 2015

- Smt. Purnima Mehar, wife of Jayant Mehar, aged about 40 years, occupation Patwari, resident of Boirdadar, Raigarh, Civil & Revenue District Raigarh (C.G.)

... Applicant

Versus

1. State of Chhattisgarh, through District Magistrate, Raigarh (C.G.)
2. Chandrahas Pandey, son of Laxman Prasad Pandey, aged about 42 years, resident of Village Chitaipani, post Patrapani, Tahsil & District Raigarh (C.G.)
3. Rampravesh Vishwakarma, son of Jhapkiram Vishwakarma, aged about 45 years, resident of Jindal Colony, H.N. 120, Patrapali, Tahsil & District Raigarh (C.G.)
4. Hariram Chouhan, son of Rameshwar Chouhan, aged about 48 years, resident of Jindal Colony, Patrapali, Tahsil & District Raigarh (C.G.)

... Respondents

For Applicant	:	Mr. Deepak Kumar Singh, Advocate.
For Respondent 1	:	Mr. Anil S. Pandey, Government Advocate.
For Respondents 2 to 4	:	Ms. Madhulika Jha, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

10/03/2016

1. This is the first application filed under Section 438 Cr.P.C. for grant of anticipatory bail to the Applicant who is apprehending her arrest in connection with Criminal Case No. 32/2014 registered before the Judicial Magistrate First Class, Raigarh, Civil and Revenue District Raigarh, for the offence punishable under Section 420 IPC.
2. Allegation against the Applicant is that in the capacity of a Patwari she had issued documents 22point in favour of one M. Madan showing the property to be that of M. Madan whereas the said property was in fact in the name of some other person in the revenue records.

3. Counsel for the Objector/Respondents No. 2 to 4 opposes the anticipatory bail on the ground that it is not the first time that a criminal case has been registered against the Applicant and she also shows that on earlier occasion also there has been similar criminal complaint filed against the present Applicant. She further brings to the notice of the Court an application which moved by the present Applicant before the revenue authorities depicting it to be an application moved on behalf of the objector and on the basis of that there was an order of exoneration of the present Applicant from the alleged offence committed by her in the present transaction.

4. Having heard the Counsel for the parties and taking into consideration the over all facts and circumstances of the case particularly the conduct of the Applicant, this Court is not inclined to grant anticipatory bail to the Applicant.

5. The application filed under Section 438 Cr.P.C is dismissed.

6. However, taking into consideration the fact that the Applicant is a government employee and is also a young lady it is directed that in the event if she surrenders before the concerned Court below and moves appropriate application for grant of regular bail the same shall be decided by the said Court, if possible, on the same day, on its own merits, in accordance with law.

Sd/-
(P. Sam Koshy)
Judge