

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 134 /2016

Shri Gaindram Chouhan, S/o. Late Shri Chintaram Chauhan, Aged About 45 Years, R/o. House No.M/450, Ompur Colony, Rajgamar Chowki, Korba, Police Thana Balconagar, District Korba, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station Balconagar, District Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. Vivek Ranjan Tiwari with Mr. Ashutosh Shukla, Advocates

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

21/03/2016

1. Apprehending arrest in connection with Crime No.20/2016 registered at Police Station- Balconagar, District Korba (C.G.) for the offence punishable under Section 419, 420, 467, 468, 471 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a complaint was made by one Rajkumar Chouhan that the present applicant was working in the SECL for last 25 years by false personification as he is actually Kaushal S/o. Puniram.
3. Learned counsel for the applicant submits that identity of the applicant is known as Gendram and he relied on the Election Commission I.D., Adhaar Card, School Certificates and the documents of SECL. He would submit that the false allegations

have been made against the applicant because of the fact that a report was made against the complainant when an objection was made when the son of the applicant was sexually assaulted by the brother of the complainant which led to report and out of a counter blast of that report, the instant false report has been made. He therefore submits that the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the documents i.e. School Certificate, Identity Card of the Election Commission and Adhaar Card wherein the applicant has been shown as Gendram Chouhan, S/o. Chintaram. Taking into such fact and prima facie the documents and the background of this case, I am inclined to release the applicant on anticipatory bail.
6. Accordingly, the anticipatory bail application is allowed.
7. 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 furnishing a personal bond to a 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 himself 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 him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Ashok