

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 506 of 2016

- Amit Verma S/O Puran Verma Aged About 22 Years R/O. Village Khutgaon, P.S. Farsabahar, Post Khutgaon, Tehsil - Farsabahar, Civil & Revenue District Jashpur, District Jashpur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through : Police Station Farsabahar, District Jashpur Chhattisgarh

---- Respondent

For Applicant : Mr. Manoj Paranjpe, Advocate

For Respondent/State : Mr. O.P. Sao, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

27-07-2016

1. This application under Section 438 of Cr.P.C has been filed by the applicant apprehending his arrest in connection with Crime No. 98 of 2015 registered at Police Station Farsabahar, District Jashpur (CG) for offence punishable under Sections 420, 467, 468, 471 and 120-B of the IPC.
2. As per case of the prosecution, the applicant has purchased the land bearing Khasra No. 487 area 1.129 for valuable consideration from one Nakul whose name was recorded in the revenue record. Subsequently the original owner Sukhdev alleged that with collusion of Patwari Suresh Upadhyay, Anita Yadav and Janki Bhagat, Nakul has got his name recorded in the revenue records and thereby the sale was made by Nakul.
3. Learned counsel appearing for the applicant would submit that the applicant is a bona fide purchaser and he has purchased the said land for valuation consideration from the recorded land owner and the entire sale consideration was paid to him, therefore, the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary and documents.
6. Considering the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the fact that the applicant appears to be a bona fide purchaser and in respect of same land, civil suit is also pending between the parties before the court below, I am inclined to extend the benefit of anticipatory bail to the applicant.
7. 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, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one local 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) 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

Raju