

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5417 of 2017

Tularam Todar S/o Padum Todar, Aged About 65 Years R/o Bhartiya Nagar,
Near Ayappa Mandir, Post & Tehsil Bilaspur, District Bilaspur (Chhattisgarh).

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station, Masturi,
District Bilaspur (Chhattisgarh).

---- Respondent

For Applicant : Shri Vijay Chhabra and Shri Surfaraj Khan, Advocates
For State : Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/11/2017

Heard.

1. The applicant has been arrested in connection with Crime No.140 of 2012 registered in Police Station- Masturi, Bilaspur (C.G.) for alleged commission of offence under Sections 419, 420, 467, 471, 468 & 120-B IPC.
2. Case of the prosecution, in brief, is that while working as Patwari, the applicant issued 22 Points information which facilitated sale of land of the original owner by way of impersonation of the co-accused.
3. Learned counsel for the applicant would submit that it was none of the part of the duty of the applicant to identify the persons recorded as bhumi-swami. He would further submit that the issuance of certificate is based on the official land records. He submits that investigation is complete and charge sheet has been filed and in these circumstances, the applicant is not in a position to tamper with the prosecution witnesses and not likely to abscond. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State has opposed the bail application mainly on the submission that the applicant had remained absconding since 2012 and he was arrested only in the year 2017 and if he is granted bail, he is again likely to abscond which could hamper the progress of trial.
5. Taking into consideration the submissions made by learned counsel for the parties, considering the nature of allegation and material on record, I am inclined to allow the application.
6. The application is accordingly allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) 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/-
(Manindra Mohan Shrivastava)
Judge