

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 72 of 2017**

Tapeshwar S/o Ram Prasad, Aged About 30 Years Caste Rajwar, R/o Kanakpur, Police Station Jainagar, Tehsil & District Surajpur Chhattisgarh.

-----Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station - Jainagar, District Surajpur Chhattisgarh.

---- Respondent

For Applicant	:	Shri Shakti Raj Sinha, Advocate.
For Respondent	:	Shri B.Gopa Kumar, Deputy AG.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

18/05/2017

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.2 of 2017 registered at Police Station Jainagar, Distt. Surajpur, for the offence punishable under Sections 419,420,467,468,471 and 120-B IPC.
2. As per case of the prosecution, the applicant being a trusted lieutenant of the Sarpanch of village, at the instance of the said Sarpanch, is said to have got false muster-roll prepared and thereby is said to have withdrawn the money through the persons in whose account the amount has been credited without those persons infact having worked for the relevant period.
3. Learned counsel appearing for the applicant would submit that infact from the entire perusal of case diary, there is no role whatsoever attributed to the present applicant in the preparation of any of the document on the basis of which false entry have been made in the muster-roll. The only allegation against the applicant is that he being the trusted lieutenant of the Sarpanch works as his Mate/Munshi.

4. On specific query being put to the State Counsel, he admits that so far as the applicant is concerned, he has not prepared any fake document/muster-roll. His signature is also not there in any of the document and admittedly the present applicant was projected as Mate/Munshi of the Sarpanch.
5. Having heard learned counsel for the parties and taking into consideration the total facts and circumstances of the case, this court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
 1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 2. The accused/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;
 3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 4. 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.
6. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge