

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 74 of 2017**

Vinod Kumar S/o Bhore Lal Aged About 38 Years Caste Ahir, R/o Village Patna, Police Station, Tahsil Baikunthpur, District Koriya, Chhattisgarh.

-----Applicant

Versus

State of Chhattisgarh Through S.H.O., Police Station Baikunthpur, District Koriya, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Ashok Shukla, Advocate.
For Respondent	:	Shri Neeraj Mehta, Panel Lawyer.

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.66 of 2016 registered at Police Station Baikunthpur, Distt. Koria, for the offence punishable under Sections 420,467,468 and 471/34 IPC.
2. As per case of the prosecution, a report was made by Nawal Ram who was son of Mohan Barga that a false will was executed in favour of Balram by Mohan Barga and on the basis of said will, different sale deeds were executed by Balram in favour of Bhuri Bai on 14-8-2015 and therefore, a report was made that on the basis of forged will, sale deed was executed and thereby the aforesaid offence has been committed.
3. Learned counsel appearing for the applicant would submit that there are 8 accused persons in the case, of which 7 accused persons except for the applicant, have already been granted anticipatory bail by this court. A few of the orders passed by the court are enclosed along with the bail application. He further submits that the only allegation against the applicant is that of being a witness to the alleged will deed. Further, as

the other accused persons have already been granted bail, he may also be granted benefit of the same on the ground of parity.

4. Counsel for the State on due verification of facts does not dispute the fact that all the other accused persons have been granted anticipatory bail and the present applicant's role is only of being a witness to the will deed. In addition, there is also civil suit pending in respect of said subject matter.
5. Having heard learned counsel for the parties and taking into consideration the total facts and circumstances of the case, more particularly taking note of the fact that all other accused persons have already been granted anticipatory bail, 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