

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 208 of 2017**

- Vijay Gupta S/o Shri Bharat Prasad Gupta, Aged About 51 Years R/o College Road, Nawapara Surajpur, Police Station & Tahsil Surajpur, Civil & Revenue District Surajpur, Chhattisgarh.

---- Applicant**Versus**

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

---- Non-applicant

For Applicant:	Mr. B.P. Sharma, Advocate
For State:	Mr. U.K.S. Chandel, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****19.05.2017**

1. Apprehending arrest in connection with Crime No. 336/2016 registered at Police Station- Surajpur, District - Surajpur (C.G.), for offence punishable under Sections 419, 420, 465, 467, 468, 471, 120B of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. The allegation against the present Applicant as per the prosecution case is that the present Applicant in the course of discharge of his duties of Patwari has issued 16 Point document showing that the details of title of the said property. It is said to have been used in the sale of the property fraudulently.
3. Learned Counsel for the Applicant at this juncture refers to the document which is a report dated 27.02.2017 of the enquiry

conducted by the Collector, Surguja.

4. The report of the Collector clearly reflects that on due enquiry it was found that no such document has been issued by the present Applicant. It appears that some fake document inscripting the name of the present Applicant has been used for the purpose of sale. This aspect on due verification by the State Counsel has not been disputed.
5. Considering the given facts and circumstances of the case particularly the report of the Collector dated 27.02.2017 Annexure A/4 enclosed along with the Bail Application, in the opinion of this Court prima facie a strong case for grant of anticipatory bail has been made out.
6. Accordingly, the MCRCA 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 executing a personal bond in 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.

Sd/-

(P. Sam Koshy)
JUDGE