

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MISC. CRIMINAL CASE (A) NO. 283 OF 2017

Suryanarayan Pandey, S/o S.S. Pandey, aged about 44 years, R/o Vinoba Nagar, Junwani, P.S. Smriti Nagar Chowki, P.S. Supela, Bhilai, Tehsil and District Durg (C.G.)

... Applicant

Versus

State of Chhattisgarh, through Officer Incharge, Supela, Bhilai, District Durg (C.G.)

... Non-applicant

For Applicant	:	Mr. Rakesh Pandey, Advocate.
For Non-applicant/State	:	Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

09/05/2017

1. The present application has been filed under Section 438 of CrPC for grant of anticipatory bail to the Applicant who is apprehending his arrest in connection with Crime No. 193 of 2017, registered at Police Station- Supela, Bhilai, District- Durg, for the offence punishable under Sections 420, 467, 468, 471 read with Section 34 of IPC.
2. Case against the present Applicant as per the prosecution is that he along with co-accused Avtar Singh is said to have tampered with certain documents which were produced before the Excise department, on the basis of which they have obtained permission to open a liquor shop and other shops in a property which originally stands in the name of one Gyan Das. Further allegation as per the prosecution is that the present Applicant is said to have tampered with a document which stood in the name of Gyan Das by replacing the name of Gyan Das and by adding the Applicant's name in its place and on the basis of which he has obtained the permission from the department.

3. Learned Counsel for the Applicant submits that the Applicant is ignorant of any such development or any such illegality and if at all, if such a thing has happened the same could have been by some other person, if not, at least by co-accused Avtar Singh but definitely not by the present Applicant.

4. Considering the nature of allegations that have been levelled against the present Applicant, more particularly when there is a tampering of the records on the basis of which the present Applicant is said to have started constructions and operating 7 shops on the land which was otherwise a government land, prima facie this Court is of the opinion that it is not a fit case for grant of anticipatory bail to the Applicant.

5. Accordingly, the present Application under Section 438 of CrPC is dismissed.

Sd/-
(P. Sam Koshy)
Judge