

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 674 of 2017**

1. Kartik Ram Dewangan, S/o. Late Ude Ram Dewangan, Aged About 50 Years.
2. Dauram Dewangan, S/o. Late Jhangalu Ram Dewangan, Aged About 48 Years,

Both R/o Purani Basti, Janjgir, P. S. Janjgir, District -Janjgir Champa Chhattisgarh.

----Applicants**Versus**

State Of Chhattisgarh, Through : The District Magistrate, District -Janjgir Champa, Chhattisgarh

---- Respondent

For Applicant	: Mr. Vivek Singhal, Advocate
For Respondent/State	: Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**17/11/2017**

1. Apprehending arrest in connection with Crime No.138/2017, registered at Police Station- Janjgir, District – Janjgir – Champa (C.G.), for offence punishable under Section 420, 467, 468, 471, 120-B of the Indian Penal Code, the applicants have preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicants that applicants are innocent and have been falsely implicated in this case. Both the applicants are employee of the executant of alleged agreement and on asking of their employer Sajjanmal, they have put their signatures as witness on the agreement. They were never acquainted with the other party to the agreement namely Abharam, hence, there is no question of the applicants being party to the

offence of misappropriation and cheating. It is prayed that the applicant may be benefited with grant of anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submission made in this respect. It is submitted that there is sufficient material against the applicant found in the investigation, hence, the applicants are not entitled to be released on anticipatory bail.
4. I have heard the learned counsel for the parties and perused the case diary and the documents.
5. As per the case, one agreement dated 24.09.2010 was executed between Abharam and Sajanjmal for sale of landed property, in which applicants have put their signatures as attesting witness. Later on, the owner of land described in the said agreement, lodged one FIR in police station – Janjgir-Champa, stating that somebody else has impersonated as Abhram and executed sale deed because of which, offence has been registered and investigation is pending.
6. Considering the submissions made by the parties and the contents of the case diary, particularly, the role of the applicant in this case and further looking to the material available in the case diary against the applicants, this Court finds it to be a fit case, where the applicants should be extended the benefit of anticipatory bail .
7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them 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 applicants shall also abide by the following conditions :

- (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram