

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1167 of 2016**

1. Punaram Chouhan, S/o. Resham Lal Chouhan, aged about 35 years, R/o. Village-Chhechhar, P.S. and Tahsil – Kasdol, District Baloda Bazar – Bhatapara (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : Station House Officer, Police Station – Kasdol, District – Balodabazar-Bhatapara (C.G.)

---- Respondent

For Applicant : Mr. S.K. Guha, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****18/01/2017**

1. Apprehending arrest in connection with Crime No.173/2016 registered at Police Station- Kasdol, District – Balodabazar – Bhatapara (C.G.), for offence punishable under Section 120-B, 419, 420/34, 467, 468 and 471 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. The case of the prosecution, in brief, is that a report was made by Chandrika Bai Patel that she was holding joint land with Bhagwano and others. The sale deed was executed on 08.02.2011 and Chandrika Bai Verma was projected as Chandrika Bai Patel and by false personification sale deed was executed and the present applicant who was Kotwar of the village was instrumental in sale of such property. Thereby the offence has been committed.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and he has not committed any offence and he has only handed over the required documents

to the sellers. Therefore, the counsel prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, learned counsel for the State opposes the bail application.
5. I have heard the learned counsel for the parties.
6. Perused the case diary and the documents. The applicant appears to be Kotwar of the village. Considering the nature of evidence and the allegation is by false personification, the sale was made and the arrangements were made by this applicant. Considering the documents and the evidence available against the applicant, it is not a case, where the benefit of Section 438 of Cr.P.C. can be extended to the applicant as it can not be stated that custodial interrogation of the applicant may not be required. Therefore, I am not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge