

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1144 of 2017

- Manik Mehta S/o Late Vishnu Dutt Mehta, Aged About 46 Years, R/o 48/6, Nehru Nagar (West) Bhilai, District Durg Chhattisgarh Present R/o 97-98, Vipin Garden, Dwarika Mod Uttam Nagar West, New Delhi 110059, Delhi

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Tikrapara Raipur, Tahsil And District Raipur Chhattisgarh, Chhattisgarh

---- Non-applicant

For Applicant – Shri Satish Chandra Verma, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

28-03-2018

1. Apprehending arrest in connection with Crime No.708/2013, registered at Police Station – Tikrapara Raipur, District Raipur, Chhattisgarh for offence punishable under Section 420, 467, 468, 471 of the IPC and Section 67 of Information Technology Act, 2000, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against him on the basis of material present in the case against him. A numbers of false cases have been registered against this applicant at the instance of a senior police officer against whom this applicant has made a complaint making allegation of rape and murder. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the non-applicant/State opposes the application and submits that no case is made out for grant of anticipatory bail.
4. I have heard the learned counsel for the parties and perused the case

diary.

5. Complainant Anil Verma, Nodal Officer of Reliance Telecommunication has lodged FIR alleging that SIM carrying Mobile No.9770536846 was obtained on the basis of forged identification papers.

6. On Perusal of the case diary, it is alleged that the SIM card has been used by this applicant. In the statement of witness Rahul Mishra in whose name that SIM card was issued, it is stated that he lost that SIM card which was found by this applicant, which shows that the said SIM card was originally issued in the name of Rahul Mishra and the same is alleged to be used by this applicant.

7. Considered on the submissions made and contents of the case diary.

8. The investigation is to be made to find out truth in this case against this applicant, but, for the present, I am of this view that the applicant should be benefited with grant of anticipatory bail.

9. Accordingly, the anticipatory bail application is allowed. 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.

10. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil