

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 199 of 2018**

- Prashant Dubey, Aged about 43 years, S/o Shri Puran Prasad Dubey, R/o Qtr. No. B/2, Shakti Nagar, Gevra, Police Station – Dipka, Tahsil – Katghora, District Korba (CG)

-----Applicant**Versus**

- The State of Chhattisgarh, through the Station House Officer. Police Station – Dipka, Distt. Korba (CG)

---- Non-applicant

For Applicant	:	Mr.Aviash K. Mishra, Advocate
For Non-applicant	:	Mr.Avinash Singh, P.L.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/04/2018**

1. Apprehending arrest in connection with Crime No.12/2018, registered at Police Station – Dipka, District – Korba (CG), for the offence punishable under Sections 420, 467, 468, 471/34 of the IPC, the applicant has filed this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Case of the prosecution, in brief, is that the applicant issued copy of 22 points form in favour of Suraaj Singh mentioning false entry who sold the land in dispute in favour of Mahender Singh and thereby committed the aforesaid offence.
3. Learned counsel appearing for the applicant would submit that Suraaj Singh sold the land to Dahraj Singh on 23-04-2007 but that could not be entered into the original land record particularly in Khasra, and

therefore, the applicant who was posted as Patwari since 30-01-2009 at Patwari Halka No.21, issued 22 point in favour of Suraj Singh. On 26-08-2009, Suraj Singh resold the land to Mahender Singh. The applicant issued 22 points form on the basis of land record available and entries made in the said land record, therefore, the applicant has not committed any offence and he has been falsely implicated in crime in question, therefore, he may be granted anticipatory bail.

4. On the other hand, learned State counsel while opposing the bail application would submit that the Panchayat has resolved the issue on 22-08-2007 and entry was made in the Namantaran Panji, therefore, the applicant could not be issued 22 points in favour of Suraj Singh..
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, further taking into consideration the nature and gravity of offence, documents filed by the applicant in which land of Dahraj Singh is not entered in the Khasra for the year 2008-09, this Court is inclined to extend the benefit of anticipatory bail in favour of the applicant.
7. Accordingly, this application is allowed and 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 his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating/

Arresting Officer. The applicant shall also abide by the following conditions:-

- (i) that he shall make himself available for interrogation before the concerned Arresting/Investigating Officer as and when required;
- (ii) that he shall not, directly or indirectly, make any inducement, threat or promise to the 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 he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he shall also appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Sanjay K. Agrawal)
JUDGE