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HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 1329 of 2018**

Smt. Ranjana Chandrakar, W/o. Pavan Chandrakar, Aged About 40 Years,
R/o. Village Kuthrel, Post Office- Anda Tahsil and District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through - District Magistrate, Durg, Police Station City
Kotwali, Durg, District- Durg, Chhattisgarh.

---- Respondent

M.CR.C. No. 1479 of 2018

Maheshwari, W/o. Amrika Goswami, Aged About 40 Years, R/o. Shiv Para,
Beside Babu Talab, Ward No. 34, District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- District Magistrate, Durg, District- Durg,
Chhattisgarh.

---- Respondent

M.CR.C.(A) No. 1099 of 2017

Sanjay Singh, S/o. Naresh Singh, Aged About 33 Years, R/o. Kela Badi, Near
Ajhar Aata Chakki, P.S. Durg, Tahsil and District -Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station : City
Kotwali, Durg Civil And Revenue District- Durg, Chhattisgarh.

---- Respondent

M.CR.C.(A) No. 223 of 2018

Sankar Sahu, S/o. Late Sukhauram Sahu, Aged About 35 Years, R/o.
Sarsvati Nagar, Durg, Police Station -City Kotwali, Tahsil And District -Durg
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Police Station City Kotwali, Tahsil And District Durg Chhattisgarh.

---- Respondent

AND**M.CR.C.(A) No. 268 of 2018**

Smt. Ganga Bai, W/o. Umesh Kumar Sahu, Aged About 32 Years, R/o. Saraswati Nagar, Durg Tahsil and District Durg Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station -City Kotwali, Durg Tahsil And District Durg Chhattisgarh.

---- Respondent

For Applicants	: Mrs. Kiran Jain, Mr. Jitendra Gupta & Mr. Sanjay Agrawal, Advocate
For Respondent/State	: Mr. Anil S. Pandey, Govt. Advocate & Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

07/03/2018

1. Since the above regular bail applications and anticipatory bail applications arise out of the same crime number, they are being heard and disposed of by this common order.
2. The applicant – Sanjay Singh in M.Cr.C.(A) No. 1099 of 2017, applicant - Shankar Sahu in M.Cr.C.(A) No.223/2018 and the applicant – Smt. Ganga Bai in M.Cr.C.(A) No. 268/2018 have preferred these bail applications under Section 438 of Cr.P.C. apprehending their

arrest in connection with Crime No.864/2017 registered at Police Station- City Kotwali, District – Durg (C.G.), for the offence punishable under Sections 420, 467, 468, 471, 474/34 of the Indian Penal Code.

3. The bail applications of applicant- Smt. Ranjana Chandrakar in M.Cr.C. No.1329 of 2018 and applicant – Maheshwari in M.Cr.C. No.1479 of 2018 are the first bail applications filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to them as they have been arrested in connection with Crime No.864/2017, registered at Police- Station City Kotwali, Durg, District– Durg (C.G.) for the offence punishable under Sections 420, 467, 468, 471, 474/34 of the Indian Penal Code.
4. Learned counsel for the applicants submits, that applicants are innocent and have been falsely implicated in the crime in question. It is submitted that apart from the memorandum statement given by the main accused Sanjay Diwedi reflecting the name of these applicants, there is no other evidence in the record of the charge-sheet and the charge-sheet has been filed after investigation showing the applicants in M.Cr.C.(A) No.1099/2017, 223/2018 & M.Cr.C.(A) 268/2018 as absconder. Complainant in the case has filed affidavit before the concerned Court in support of the applicants in M.Cr.C.(A) No.1099/2017, 223/2018 & M.Cr.C.(A) 268/2018. Applicants Smt. Ranjana Chandrakar and Maheshwari are in jail since 19.11.2017 and 20.11.2017 respectively, the applicants are ready to abide by all the conditions, which may be imposed on them while enlarging them on bail, therefore, it is prayed that they may be released on bail. It is also prayed that applicants Sanjay Singh, Sankar Sahu and Smt. Ganga

Bai be granted anticipatory bail.

5. Learned counsel for the respondent/State opposes the applications and submissions made in this respect. It is submitted that there is ample evidence against all the applicants for prosecution in the charges levelled against them, hence none of the applicants deserves to be granted either regular or anticipatory bail.
6. I have heard the learned counsel for both the parties and perused the case diary.
7. The case of the prosecution in brief is that Smt. Fini Khutel has lodged FIR stating in it that she was living with the main accused Sanjay Dwivedi and during the period she lived with him she came to know Sanjay Dwivedi was engaged in clandestine business of furnishing bail bonds for accused persons before the Court on the basis of the forged Rin-pustika and others papers on that basis, the offence was registered against the main accused Sanjay Dwivedi. Sanjay Dwivedi has given statement under Section 27 of Evidence Act, in which he has named these applicants as the persons, who impersonated as the owner of the land mentioned in the various Rin-pustika seized from his possession. At the instance of the Sanjay Dwivedi, 67 Rin-pustika along with fake official rubber stamps were seized from his possession. Hence, this case.
8. Considered the submissions made and the contents of the case diary. On going through the entire material in the case diary and the nature of allegations against these applicants and further looking to the evidence i.e. proposed to be brought against these applicants in the trial against them by the prosecution, I am of this view that applicant- Smt. Ranjana

Chandrakar in M.Cr.C. No.1329 of 2018 and applicant – Maheshwari in M.Cr.C. No.1479 of 2018 deserve to be enlarged on regular bail and applicant – Sanjay Singh in M.Cr.C.(A) No. 1099 of 2017, applicant - Shankar Sahu in M.Cr.C.(A) No.223/2018 and the applicant – Smt. Ganga Bai in M.Cr.C.(A) No. 268/2018 also deserve to be enlarged on anticipatory bail.

9. Accordingly, the anticipatory bail application of applicants in M.Cr.C.(A) No.1099/2017, 223/2018 & M.Cr.C.(A) 268/2018 are allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offences, they shall be released on bail by the officer arresting them on their executing a personal bond in the sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicant 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.

10. Likewise, both the regular bail applications filed under Section 439 of Cr.P.C. are allowed. It is directed that applicant- - Smt. Ranjana Chandrakar in M.Cr.C. No.1329 of 2018 and applicant – Maheshwari in M.Cr.C. No.1479 of 2018 shall be released on bail on their furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the trial Court concerned, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram