

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C (A). No. 352 of 2018

- Daduram Sidar S/o S.P. Sidar Aged About 59 Years By Caste- Sidar, Occupation- Govt. Service, Posted Tahsildar, Present Address- Than Khamhariya, District- Bemetara, Permanent Address- Ashok Nagar, Sarkanda, Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer, Police Station- Chhal, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh.

---- Respondent

For the applicant : Ms. Indira Tripathi, Advocate.

For the Respondent/State : Shri Aupam Dubey, Dy. GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

26.04.2018

1. Apprehending arrest in connection with Crime No.17/2018 registered at Police Station- Chhal, District –Raigarh, (C.G.), for offence punishable under Sections 420, 467, 468, 120 -B of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted that the applicant has been falsely implicated in this case. The present applicant is a public servant working as Tahsildar and also in-charge Sub Registrar. On the date of incident this applicant was working incharge Sub-Registrar and he had no knowledge and no occasion to know that the sale deed that was

presented for registration was executed by any fraud or forgery. He has performed his duty as Tahsildar/Sub-Registrar, no case is made out against him, hence, it is prayed that this applicant may be extended the benefit of anticipatory bail.

3. Learned counsel for the State opposes the application and the submission made in this respect

4. I have heard the learned counsel for the parties and perused the case diary.

5. On the date of incident, the sale deed was presented by Bharatram Chandra and others for registration. The complainant -(Bhojram Chandra) was not present at the time of registration, it was examined by this applicant and the registration of the sale deed was permitted by him. Hence, this case.

6. Considering the submission made, contents of the case diary and also considering the fact that on being a public servant this applicant has performed his duty. The allegation made by the complainant is mala fide or bona fide is yet to be investigated, otherwise, the case appears to be of dereliction of duty, hence, I am of the view that the present applicant is entitled for grant of anticipatory bail.

7. Accordingly, the anticipatory bail 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 executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. 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.

Sd /-

(Rajendra Chandra Singh Samant)

Judge

Jamal